Early Warning and Conflict Management in the Horn of Africa

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ETHIOPIA

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UGANDA

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EARLY WARNING AND CONFLICT MANAGEMENT IN THE HORN OF AFRICA

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PREFACE

This publication was produced within the context of developing a conflict early warning and response mechanism (CEWARN) for the Intergovernmental Authority on Development (IGAD) member states. Preparation of the mechanism's conceptual and operational framework took place over a two-year period. This publication is intended to share with other policy-makers and practitioners the details of what has been an innovative and exciting process for the IGAD secretariat and member states.

Let me start by providing some background to IGAD's decision to develop CEWARN. The Intergovernmental Authority on Drought and Development (IGADD), as it was then known, was originally created to coordinate member states' efforts in preventing drought and desertification.[1] However, it became increasingly apparent that IGADD was a forum through which broader political and socio-economic issues could be addressed. As a result, the heads of state and governments of Djibouti, Eritrea, Ethiopia, Kenya, Sudan, and Uganda met at an extraordinary summit on April 18, 1995 and resolved to expand the IGADD mandate.

A declaration to revitalize IGADD and expand cooperation among member states was passed, and IGADD was renamed the Intergovernmental Authority on Development (IGAD). This decision reflected the belief that only through joint efforts could the sub-region's development challenges – economic and social-environmental degradation, increasing food insecurity, massive dislocation, and movement of people across borders – be addressed.

Central to this revitalization process was the recognition that the sub-region's economic development depends ulti-

mately on the prevalence of peace and security. Indeed the absence of these conditions severely constrains and often nullifies the practical efforts made to tackle basic economic, social, humanitarian, and environmental problems in the sub-region. Ultimately, the sustainability of development initiatives will always be directly related to and affected by the incidence of violent conflict.

With this recognition, IGAD member states committed themselves to maintaining peace and security.[ii] This is reflected in one of the specific aims of IGAD - "to promote peace and security in the sub-region and create mechanisms within the sub-region for the prevention, management, and resolution of inter- and intra-state conflicts through dialogue."[iii]

Perhaps the biggest challenge for any intergovernmental organization (particularly one such as IGAD, which has come to be characterized by the volume and intensity of conflicts in the region it represents) is adapting to the demands of institutionalized processes for regional consultation, decision-making, advanced planning, and preparedness. Such structures have traditionally been bilateral state mechanisms in the IGAD region. Yet we are all aware that effective early warning, conflict prevention, management, and resolution requires the involvement of civil society. Indeed most successes in conflict management, and peacebuilding have been characterized by state and civil society cooperation. Despite this reality, few formal structures for state and community cooperation exist in the region.

Given our context, where the culture of conflict management and resolution has been characterized by *ad hoc* mediation and reactive peace-making initiatives, a new mandate in conflict prevention, management, and resolution demands the creation of dynamic and proactive regional decision-making structures and processes for consultation. The challenge for IGAD in executing its new conflict prevention, management and resolution (CPMR) mandate is the development of integrated institutions that are regional in scope. Transforming the current decision-making culture away from a centralized process to one that captures the key ingredient of community

participation in conflict management and peacebuilding is the ultimate aim.

After adopting this new mandate, a second process involving the translation of IGAD's formal responsibility for conflict prevention, management and resolution initiated concrete activities that would bring such responsibility to practical effect. Here the IGAD secretariat was mandated to produce a framework and provisions for a more cohesive approach to addressing conflicts in the sub-region. Translation of the mandate into a coherent framework was facilitated through a CPMR formulation exercise.[iv]

Developing an effective role for IGAD in CPMR requires an understanding of its comparative advantages and its overall added value to the region. Such a process requires an assessment-based approach. For this reason, the components that emerged from the program formulation exercise are essentially stock-taking activities. This approach acknowledges the existence of several ongoing and planned activities for early warning, conflict prevention, management, and resolution.[v] Thus the principle of the program mentioned above is to build on and complement existing capacities. IGAD's understanding of what regional resources and capacities exist positions it to better articulate its role as a regional institution for conflict prevention, management, and resolution.

While this may appear an obvious point, it has not been translated into practice, as most sub-regional and regional CPMR projects have been developed without regard for existing and planned initiatives. This results in duplication of efforts, incoherence, and resource waste. With this in mind, IGAD highlighted the following components as essential for any CPMR program:

- Assessment of the conflict prevention, management, and resolution capacities in the IGAD region
- Documentation of demobilization and post-conflict peace-building experience in the region
- A proposed program component to promote a culture of peace and tolerance in the region
- A conflict early warning mechanism for the IGAD

region to implement
- Proposals for an IGAD Emergency Relief Fund[vi]

The CEWARN project emerged within the framework of Project Number 4: 'A conflict early warning and prevention mechanism for IGAD member states for implementation.'

This book discusses in more detail the truism that early warning without response lacks purpose. Yet it is this crucial element – generating effective responses – that continues to elude various organizations. As mentioned earlier, the key challenge for IGAD in this area is to transform highly centralized decision-making cultures into more inclusive processes.

Early warning is essentially a decision-support tool. The emphasis is not simply on producing early warning analyses but in developing a regional response architecture. Such architecture is most likely to be effective when decision-making is integrated. A key IGAD concern in developing this project was that the focus – following a general assessment of sub-regional capacities – should be the design of a regional response structure.

For this reason we chose to develop an early warning system rooted in the realities of our region and avoided opting to buy an existing early warning model or to contract an institution to provide IGAD with early warning analyses. We recognize that providing early warning analyses, no matter how sophisticated, renders the whole exercise meaningless in the absence of clear decision-making structures and channels of communication and responsibility.

IGAD's preferred methodology in developing CEWARN was thus a process-oriented one that brought together stakeholders from civil society and governments in the region. The vision is that CEWARN will provide a regional platform to undertake collaborative conflict management and peacebuilding that rests on solid analytic foundations.

We are grateful to the two donor agencies — the *Deutsche Gesellschaft für Technische Zusammenarbeit* (GTZ), especially Niels von Keyserlingk and Dr. Wolfram Fischer, and the United States Agency for International Development (USAID), especially John Munuve and Ned Greely. They provided finan-

cial support for this project and contributed immensely to the planning process. We also appreciate the technical assistance provided by the research team, some of whom were drawn from member organizations of the Forum on Early Warning and Early Response (FEWER).

Special thanks also go to the two editors of this volume and all contributors involved in documenting this memorable process. I hope this book will serve as a useful resource for regional organizations and to those working with them to develop their early warning and conflict management mandates.

Atallah Hamad Bashir
Executive Secretary, IGAD
Djibouti, 2001

ACKNOWLEDGEMENTS

contributed to this book, we would like to thank the rest of the FEWER team who, while not authors, also contributed to the success of this project, especially Sharon Rusu (University of Oxford) and Josephine Odera (Africa Peace Forum).

Books are never completed without technical support from many helping hands. We would especially like to thank Chrissie Hirst (Saferworld, then FEWER), who provided excellent logistic support in the first phases leading to this book; Daniel Lis (University of Berne), who patiently provided editorial assistance and put up with emergency situations to make this book possible: and Lyn Shepard, who was a tireless editor despite a tight schedule. In addition, we thank our colleagues from the Forum on Early Warning and Early Response and the Swiss Peace Foundation for their support while we tried to finish the book on time.

Given that this book was prepared within a very tight time frame, we would like to thank all contributing authors for working with us in keeping the publication deadline, especially Howard Adelman for his guidance throughout this process. We are furthermore grateful to the Africa World Press – Red Sea Press, especially editor Kassahun Checole, for accepting the challenge to publish this book in time for the IGAD Summit in December 2001 and closely collaborating with us to meet the deadline.

Last but not least, it is important to note our appreciation for support from our family, friends, and partners who put up with erratic and long working hours, absences from home, and editorial emergencies. Their support and listening skills contributed to the completion of this book.

Cirû Mwaûra (FEWER) and Susanne Schmeidl (Swiss Peace Foundation)

INTRODUCTION

CIRÛ MWAÛRA AND SUSANNE SCHMEIDL

Violent conflict has always been part of human history, and prevention of conflicts remains one of the key global challenges that we face. Despite the abundance of mechanisms and initiatives to address these conflicts, institutional capacities for conflict prevention management and resolution remain weak. Most conflict prevention initiatives have ended up as fire-fighting exercises rather than focused on early action. Evaluations of a number of violent crises (the Rwanda genocide[vii] and subsequent destabilization of the Great Lakes Region as well as protracted conflicts in Liberia, Sierra Leone, Angola, Sudan, and Somalia) have all pointed to this fact and demonstrated the need to develop early warning systems. In response, various regional and sub-regional organizations in Africa, and elsewhere, have prioritized this issue in an effort to enhance regional responses to violent conflict – among them the Intergovernmental Authority on Development (IGAD).

At the outset, we consider it important to emphasize that this book does not fall within the category of work dedicated to analyzing causes of conflict or the nature of politics in the Horn of Africa. Instead, the conflict early warning and response mechanism (CEWARN) project is concerned with developing an effective institutional foundation for addressing conflict in the IGAD region. In addition, given that this book will be printed prior to ratification of the protocol on CEWARN, we are restricted to outlining the mechanism's conceptual framework. Therefore, some might argue, our discussion is limited to the hypothetical. Nonetheless, we believe that doc-

umenting the issues, process, and principles that influenced the design of CEWARN is important and will be of significant interest.

The best starting point for this discussion is the consultancy team's reaction to the project terms of reference, as these initial reactions were echoed by others throughout the course of regional consultations and will no doubt continue to be echoed. The team was skeptical, considering the rather precarious position of the intergovernmental grouping that had requested this project. The call for proposals came during the war between Ethiopia and Eritrea. Aside from this, the civil war in Sudan raged on, and most of Somalia remained at war. How could one hope to advance principles of information sharing and collaborative decision making in matters related to peace and security when the end-users were states that were either at war or, at best, had lukewarm commitments to the organization's principles? It appeared to be an impossible task, and one might indeed go as far as to say a utopian one.

The reality of the context in which this system was to be embedded demanded a modest approach and a candid assessment that, given the nature of relations between and among states, the immediate prospects for an early warning system covering the whole region were limited. What was feasible and more realistic was an incremental approach that would start by constructing the institutional foundations for generating effective regional responses to conflict, then applying them to an issue with solid prospects for regional collaboration. This led us to identify issues of common interest to member states or "entry points" around which they were willing to exchange information and engage in collective action. In this case the entry point chosen was conflicts in pastoral areas along borders. Chapter 6 discusses the rationale as well as the issue in more detail. However, it is important to emphasize that this incremental and focused approach to a specific issue served as the vehicle for developing broader institutional frameworks for regional peace and security.

This was really the heart of the issue, as what IGAD lacked in its commitment to maintaining peace and security in

the region were mechanisms for regular consultation and decision making. CEWARN thus provided an opportunity to develop a response architecture dedicated to matters of peace and security in the region. The project also planned to do so in a process-oriented manner, aiming to gradually build confidence and trust among states in relation to this proposed mechanism.

Added points of inspiration were the terms of reference and methodology proposed by IGAD for undertaking the project. The idea was to develop this system through a process of consultation with a broad range of stakeholders both within and outside government.

As a result of the above, the Forum on Early Warning and Early Response (FEWER), a consortium of NGOs, research centers, and international agencies, became interested in working with IGAD to develop CEWARN.[viii] FEWER and the four members selected from its network to undertake the consultancy (the Africa Peace Forum, the Center for Refugee Studies-York University, the Swiss Peace Foundation, and Saferworld),[ix] saw IGAD's request as an opportunity to embark on a one-of-a-kind pilot project where a system would be developed through an intensive assessment and consultation period. This process of consultation and constituency-building with inclusion of civil society in the conceptual stages, distinguished IGAD's efforts in developing CEWARN from other regional and international conflict early warning, prevention, and management initiatives.

In order to carry out the work, FEWER selected from its member organizations a broad spectrum of multi-disciplinary expertise, grouping the organizations into teams according to the most important aspects of a functioning early warning and conflict prevention system (conflict analysis, institution building, and information systems). The subject-specific teams were mainly active in the first phase (2000) of initial assessment and consultation but were consolidated into a leaner team during the second phase (2001) of proposal fine-tuning. Thus, only those individuals working on the institutional, information, and legal aspects of the CEWARN system remained.[x] This book

aims to document the experience, knowledge, and lessons learned from the CEWARN project in order to contribute to an existing body of knowledge on early warning, conflict prevention, and management and also serve as a resource for other regional organizations that may want to adopt a similar approach.

PROJECT METHODOLOGY

In order to understand the contributions in this book, something more needs to be said about the CEWARN project's methodology. The preface has outlined the position of IGAD and reasons for the organization's interest in establishing CEWARN. This section outlines the principles that influenced the FEWER team's work.

First, the FEWER team conducted its assessment and recommendations based on certain institutional and contextual constraints acknowledged in the *IGAD Program on Conflict Prevention, Resolution, and Management: Terms of Reference for the Elaboration of a Strategy for the IGAD Region*:[xi]

- Limitations on the IGAD secretariat's capacity to provide highly specialized input for strategy development, implementation, and maintenance of an early warning mechanism for conflict prevention, management, and resolution as well as humanitarian affairs
- Absence of mechanisms to involve IGAD in consultations, negotiations, follow-up, and provision of support services to prevent, manage, and resolve conflicts
- Lack of forums for civil society, community-based organizations, relevant NGOs, etc., to enable active participation of these sectors in promoting peace, good governance, and regional economic cooperation
- Lack of information on impending crises and an absence of credible mechanisms for regional responses to cross-border and trans-border humanitarian emergencies

- Having outlined the above challenges, the IGAD sec-
retariat, its member states and their partners identi-
fied basic criteria to be applied in the program
formulation and implementation phase of the five
projects. The CEWARN project was designed and
implemented with these key issues in mind:
- The need for mechanisms to prevent, manage, and
resolve conflicts that can be operational in integrat-
ing all levels and groups of society in the sub-region
- The need to decentralize decision-making processes
in IGAD member states and their impact in prevent-
ing conflicts
- The need for policy amendments or decisions to
improve, enrich, and harmonize existing efforts
- The need for common information policies, informa-
tion systems, and analytical reporting on upcoming
crises for IGAD decision makers
- The need for capacity-building measures (individual
or institutional) and the design of a human-resources
development program
- The need for mechanisms to monitor and evaluate
activities and impacts.

A critical part of the FEWER consultancy involved devel-
oping practical solutions to these challenges. Some of these
solutions were discussed with the IGAD secretariat and its
partners during an initial meeting at the IGAD secretariat. The
FEWER team had in-depth discussions with the secretariat
regarding the work plan and, most importantly, its expectations.
Appendix B provides a detailed project timeline highlighting
key outputs of each activity.

Perhaps the most significant challenge for the estab-
lishment of CEWARN was (and still is) the translation of a
hypothetical member-state commitment to conflict preven-
tion and management to a meaningful and action-oriented
one. Nonetheless, it should be re-emphasized that most suc-
cessful initiatives are won through small steps, and the fact
that member states had committed themselves to promoting

peace, security, and stability provided the necessary starting point for this project. Appreciating the challenge, IGAD also insisted that a participatory and interactive methodology be employed in developing the proposal. This proved as important as the substance of the final recommendations for CEWARN. Indeed, the recommendations would not have taken the form they did without broad consultations and the in-depth involvement of representatives from the region, since the entire process depended on critical feedback provided by workshop participants.

The project originally entailed implementation in three phases. In the initial assessment phase, the FEWER team agreed to assess key organizational structures relevant to building an intergovernmental conflict early warning and response mechanism for IGAD. This objective was to be carried out by assessing the institutional strengths and weaknesses of the IGAD secretariat. Technical advice (for example, on information sharing and analysis) and policy advice were also to be provided for enhancing the capacity of the sub-regional body to carry out early warning activities. This involved a comprehensive review of the mandate, structure, and functions of the IGAD secretariat as well as ongoing and planned initiatives within the other sub-regional organizations. The project also explored options for strengthening and developing possible links with existing or planned early warning mechanisms of other regional, sub-regional, and international organizations: Organization of African Unity (OAU), European Union (EU), Common Market for East and Southern Africa (COMESA), Economic Community for West African States (ECOWAS), Southern African Development Community (SADC), and the United Nations (UN).

The first stage of the feasibility study was linked to a workshop that brought together participants from the IGAD region to provide critical feedback on assessments and ensure that the first report submitted to IGAD incorporated perspectives of a wider audience drawn from civil society and government. The workshop discussed the FEWER team's findings and gave participants an opportunity to identify how IGAD could

effectively engage in early warning and response activities.

Initially, the first stage was to be followed by two others: a phase in which options for the structure and functioning of CEWARN within IGAD were to be considered and an implementation phase. However, this was modified during the assessment phase, when the FEWER team concluded that only one general model could be recommended (see chapter 7). This recommendation was supported at the first workshop in Nairobi, Kenya. As a result, it was decided to bypass the second "options" phase and move right into activating the concept. Based on a draft report and another workshop to follow, Report II was to develop two complementary components to a CEWARN model: (1) an analysis of various in-state systems necessary to complement the CEWARN project and (2) connections between IGAD and various sub-regional, regional, and international early warning and conflict management systems. Report III would then translate the results of Reports I and II into an operational plan.

Thus, the project's second phase focused on identifying in-state systems in early warning and conflict management mechanisms, assessing their strengths and weaknesses as well as the possibility of linking such systems with other sub-regional, regional, and international early warning and conflict management systems. In order to arrive at an assessment of what early warning and conflict management capacities exist at the member-state level, seven national consultants were recruited. [xii] In addition, research was undertaken on legal issues related to creating CEWARN.[xiii] The issues covered included:

- Institutional implications related to establishing CEWARN
- The IGAD mandate
- The mandate of other regional and sub-regional bodies
- Modalities for engaging in information sharing with a variety of actors involved in the conflict management field

- In-state systems presented in the national consultants' papers
- An outline of approaches for ensuring the sustainability of CEWARN

The seven national reports and legal analysis were discussed at a second workshop in Kampala, Uganda, which again brought together civil society and government representatives for feedback and discussion. The workshop clarified details of the CEWARN model structure, and the FEWER team was able to develop a proposal for information flow between actors in the CEWARN system and begin discussions on the decision making structure.

The final phase of the project was devoted to developing principles that would govern CEWARN's operations (see chapter 7). These principles were set out in a draft protocol[xiv] and presented to a team of legal and political experts from the IGAD member states in Asmara, Eritrea for a first reading (see chapter 8). This workshop was an important step in the process of IGAD member states taking ownership of CEWARN. The protocol went through the reading without any major changes, indicating that it addressed the main concerns of all states on information sharing and decision making (for more detail, see chapter 8).

Following the legal experts' meeting, a progress report (including the draft legal protocol) outlining the first year's activities was presented to IGAD heads of state at the IGAD summit in Khartoum, Sudan. The heads of state, in the Declaration (see Appendix C)

- endorsed the CEWARN proposal;
- directed the IGAD secretariat to prepare a detailed protocol on CEWARN (to be reviewed in 2001); and
- called for involving civil society in IGAD activities and directed the IGAD secretariat to develop formal mechanisms for consultation with civil society.

This official call for formal channels to involve civil society in intergovernmental affairs was perhaps the most sig-

nificant advancement in this whole process. While the directive was framed in general terms – in the context of conflict prevention, management, and resolution – it opens up space for collaboration between civil society and government actors in the IGAD region.

Even though the FEWER mandate was initially set for one year, the decision by the IGAD member states in Khartoum led to the IGAD secretariat extending the consultancy. The FEWER team's task during the second year was to activate the CEWARN concept and refine the model's structure by applying it to a single concrete issue — conflicts in pastoral areas along borders (see chapter 6). Cross-border clashes between different groups have been a long-standing reality, yet an effective institutional basis for addressing these conflicts has remained elusive. The aim was to strengthen existing processes and mechanisms (in both the civil society and state spheres) and explore ways in which civil society initiatives and state mechanisms could be integrated to achieve much greater impact.

The second year began with a high-level meeting in Nairobi, Kenya that brought together officials (permanent secretaries and directors of political affairs) from foreign ministries, directors of intelligence and internal security, and all the member states' ambassadors to IGAD. It should be noted that this meeting was novel in the sense that the officials selected had never assembled in a regional consultation on peace and security.[xv] The objective of the meeting was to introduce CEWARN and begin to develop the regional decision making component of CEWARN. The absence of mechanisms for frequent consultation was a key discussion point, and the prospect of CEWARN serving as a framework for institutionalizing regional consultation was well received.

As we write, a second meeting presenting findings of case studies on the entry points (see chapter 6) is taking place in Addis Ababa, Ethiopia, bringing together experts from provincial and regional state administration based on their participation in bilateral state border-security mechanisms and from civil society organizations working on conflict issues in pastoral areas. The objective of the exercise is to get the partic-

ipants to develop an institutional model for effective cross-border conflict management, based on their knowledge of conflict management mechanisms available.

Parallel to the case study research, supplementary legal protocols (on decision making and rules governing co-operation in information sharing) were finalized and discussed at a legal experts' meeting in Addis Ababa, Ethiopia (see Appendix F). This back-to-back meeting arrangement allows the legal experts to take part in the case study workshop meeting and gain an operational sense of the mechanism being designed. The rationale is to precede the discussion and review of the draft protocol with a session where the legal experts can get a better feel for the context and in which CEWARN will operate and understand the conflict dynamics that the mechanism will try to address. We are fortunate in being able to present both versions of the protocol: The draft, mentioned above, which was presented at the September legal experts meeting; and a final version (Appendix G) which reflects the discussion and feedback provided by legal experts and will be presented to the IGAD Summit in December. As this book was written prior to the finalization of the protocol, all references to articles in this book are to the draft version in Appendix F.

Finally, the protocol and refined operational structure of CEWARN will be presented at a second high-level meeting in Djibouti later this year (2001). The high-level meeting will bring together the same officials who took part in the first Nairobi meeting (May 2001) in order to brief this key constituency on progress made since the first meeting and to ensure that they are prepared to act as advocates of the protocol and CEWARN mechanism at the IGAD Summit in December 2001.

CHAPTER OUTLINE

The chapters in this book cover different aspects of the CEWARN consultancy. The initial chapters (1-5) provide background information mainly derived from the first year's assessment phase. The concluding chapters (6-8) provide an overview

on actual results of the second year's fine-tuning and product phase.

Chapter 1 by Cirû Mwaûra, Günther Baechler, and Bethuel Kiplagat provides a brief overview of conflicts in the IGAD region. It outlines some characteristics of conflicts in the Horn and considers historical as well as current aspects that may hamper establishment of a successful early warning system. Perhaps the most challenging aspects are the variety, number, and intensity of conflicts, rivaling both the Balkans and the Caucasus, exacerbated by the existence of areas of serious conflict among states in the region. The chapter also provides general background on the issue chosen as the entry point for CEWARN: conflicts in pastoral areas along borders

Chapter 2 picks up from chapter 1 and provides an overview of existing conflict management and resolution mechanisms and procedures that exist at the inter-state, national, and sub-national levels. It also provides some more insight on how to understand the conflicts in the region. While the authors, Lionel Cliffe and Philip White from Leeds University in England, were not part of the FEWER team, they worked on an EU-funded consultancy assigned to produce an assessment of local conflict management and resolution capacities in the Horn of Africa so as to provide a foundation for ensuing projects. The CEWARN consultancy is the first project to use the knowledge base created by the Leeds team.

Chapter 3 by Susanne Schmeidl provides an overview of early warning and conflict prevention, setting out a common understanding and language. In addition to describing how early warning and conflict prevention is understood, it surveys the major failures and lessons learned. The latter is important, as this knowledge, together with the in-depth IGAD regional assessment, influenced recommendations made by the consultancy team. The chapter also briefly discusses the aspect of gender in conflict early warning and prevention.

Chapter 4 by Cirû Mwaûra provides a brief overview of some regional early warning, conflict prevention, and management efforts in Africa, setting the CEWARN project against a wider regional context. While the ECOWAS has the most

elaborate protocol, IGAD has made the most progress in imple-
menting its strategies. The OAU has been working on a conflict
early warning mechanism for several years. However, as with the
UN, it has had to face member-state constraints in actual
implementation and use of its system. Similarly, SADC has
faced profound challenges in developing a decision making
structure for its Organ for Politics and Defense.

Chapter 5 by Howard Adelman discusses the role of
regional organizations and neighboring states and their relation
to civil society actors *vis-a-vis* the conflict management of intra-
state conflicts as an entry point for developing CEWARN. The
chapter uses the case of Somalia to explore this possibility.
While the chapter extracts some general principles about con-
flict management, it concludes that it would be premature to
use intra-state conflict as an entry point for developing
CEWARN.

Chapter 6 provides an overview of the CEWARN system
along the entry point selected for initiating the pilot phase: con-
flicts in pastoral areas along borders. The chapter describes
the process that led to selection of entry points as well as how
CEWARN can provide a complementary regional framework
that enhances activities of existing initiatives in this area. The
chapter was written by Cirû Mwaûra and researchers commis-
sioned to produce the case studies on specific regional efforts
in the area of pastoral conflicts- Peter Adwok Nyaba, Peter
Otim, and Seyoum Gebreselassie.

Chapter 7 by Susanne Schmeidl, Cirû Mwaûra, and
Howard Adelman presents the CEWARN model that emerged
following research and consultations in Year I. The chapter
outlines the background leading to the model choice as well as
the principles governing the coordination of information col-
lection, sharing and analysis and decision making in the system.

Chapter 8 by Makumi Mwagiru provides the legal and
institutional base for CEWARN. The chapter discusses the legal
foundations of CEWARN, how it can build on and expand
upon existing agreements and serve as a solid base for inter-
governmental cooperation. The chapter introduces the princi-
ples governing establishment of CEWARN and two subsidiary

protocols outlining details on the rules governing information sharing and the decision making structure.

The conclusion then completes the book by drawing out the major lessons learned from this two-year process in establishing an institutional and legal base for CEWARN and makes some recommendations that will assist implementing the CEWARN model.

NOTES

i IGADD was formed in 1986 and brought together the states of Djibouti, Ethiopia, Kenya, Uganda, Sudan, and Somalia. Eritrea was later admitted as the seventh member of the Authority at the 4th Summit of Heads of State and Government in Addis Ababa, September 1993.

ii Article 6A of the *Agreement Establishing the Intergovernmental Authority on Development*, Nairobi, March 21, 1996 (IGAD/SUM-96/AGRE-Doc).

iii Article 7 of the Agreement Establishing the Intergovernmental Authority on Development, Nairobi, March 21, 1996 (IGAD/SUM-96/AGRE-Doc).

iv At an International Partners Forum (IPF) technical experts meeting held in Djibouti, the IGAD secretariat, in close collaboration with its partners, agreed upon a *Statement of Objectives for Conflict Prevention, Resolution, and Management*, IGAD, Djibouti, 1998. The document contains five projects that form the starting point for IGAD's work in the conflict prevention, management, and resolution (CPMR) field.

v See project number 1 of IGAD, *Statement of Objectives for Conflict Prevention, Resolution, and Management* (Djibouti: IGAD, 1998).

vi Program on Conflict Prevention, Resolution, and Management, *Terms of Reference for Elaborating a Strategy for the IGAD Region* (Djibouti, IGAD, 1998).

vii See Howard Adelman and Astri Suhrke, *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Part 2: Early Warning and Conflict Management: Genocide in Rwanda.* Joint Evaluation of Emergency Assistance to Rwanda (Copenhagen: DANIDA, 1996).

viii For more information on FEWER and its membership base, see the section on contributing organizations at the end of the book.

ix The following individuals were part of the project:

Ambassador Bethuel Kiplagat (team leader) and Josephine Odera (moderator) from the Africa Peace Forum, Nairobi, Kenya; Professor Howard Adelman (lead, institutions team) and Dr. Abbas Gnamo (institutions team) from the Centre for Refugee Studies and Centre for International and Security Studies, York University, Canada; Cynthia Gaigals (conflict team) from Saferworld, UK; Dr. Günther Baechler (lead conflict team) and Dr. Susanne Schmeidl (lead information team) from the Swiss Peace Foundation. Sharon Rusu (information team), Tom Hockley (conflict team), Sandra Ayoo, John Oloya (both economic aspects of conflict team), and Dr. Makumi Mwagiru (legal expert) were commissioned as independent consultants. The project was coordinated by Cirû Mwaûra from the FEWER secretariat.

x   In the second year, only the following individuals actively contributed to the consultancy: Ambassador Bethuel Kiplagat (team leader) and Josephine Odera (moderator) from the Africa Peace Forum; Professor Howard Adelman from the Centre for Refugee Studies and Centre for International and Security Studies, York University, Canada; Dr. Susanne Schmeidl from the Swiss Peace Foundation; Dr. Makumi Mwagiru, Centre for Conflict Research, Kenya (legal expert); and Cirû Mwaûra, FEWER secretariat (project coordinator).

xi   This document may be found at www.igadregion.org.

xii   Osman Abrah (Djibouti), Iyob Tesfu (Eritrea), Dr. Yacob Arsano (Ethiopia), Vincent Lelei (Kenya), Zadock Nyakuni (Uganda), Mohamed Ziad Doualeh (Somalia), Atta El-Battahani and Telar Deng (Sudan).

xiii   Makumi Mwagiru, *IGAD Conflict Early Warning Mechanism: Legal and Institutional Aspects*. Working paper within IGAD CEWARN Consultancy (London, FEWER, September 2000).

xiv   This is reflected in the draft protocol in Appendix F.

xv   A delegation from Somalia was present for the first time, as the country had a newly formed government in late 2000.

CHAPTER 1

BACKGROUND TO CONFLICTS IN THE IGAD REGION

CIRÛ MWAÛRA, GÜNTHER BAECHLER, AND BETHUEL KIPLAGAT

INTRODUCTION

This chapter provides a brief overview of conflicts in the IGAD region as a background to the development of a conflict early warning and response mechanism (CEWARN) for the region. There is an extensive and rich body of literature on the nature of conflicts in the Horn of Africa that provides in-depth analysis of the causes and consequences of conflicts in the region. The aim of this chapter is simply to present some key background factors that present a challenge to the implementation of CEWARN and also to set out briefly the key issues relating to conflicts in pastoral areas along borders, the entry point chosen for CEWARN.

BACKGROUND

Conflict constitutes perhaps the single greatest barrier to economic and social development in the IGAD region. The region has been embroiled in endless wars for more than forty years and represents one of the most complex conflict systems in the world. It has been the site of several armed conflicts (both intra- and inter-state), severe environmental degradation, and

general livelihood insecurity. The sub-region has come to be defined by the number and intensity of destabilizing population movements it has experienced.[1] Indeed it has become commonplace to assert that "violent conflict disruptive of the state is endemic in the Horn of Africa."[ii]

As Lionel Cliffe observed, the Horn has been faced with "the same arbitrariness of borders inherited from European colonial rule and with the inevitably resulting problems of state making and nation building among disparate peoples and in contested territory where there were cultural links with people across those borders. These features, found throughout Africa and other ex-colonial territories, were intensified by factors specific to the Horn, each of which further enhanced the likelihood of internal and inter-state conflict: an ethnically homogenous state, Somalia, whose nationalism embraced neighboring Somali minorities; Ethiopia with a territory that resulted from resistance to European colonialism but also from becoming an empire; Sudan straddling the cultural divide between Africa south of the Sahara and the north."[iii] The revision of boundaries (as evidenced by the appearance of Eritrea and the still unrecognized Somaliland and Puntland), the collapsed state (Somalia), and secessionist groups (continued agitations for a separate Oromo State outside Ethiopia's ethnic federalism) are thus a key part of the Horn's reality.

SOCIO-ECONOMIC UNDERDEVELOPMENT

The vast majority of the work force in IGAD countries is engaged in agro-pastoral activities. Average rural production in the Horn amounts to 33.8 percent of the GDP of all countries (except Somalia and Djibouti – in industrialized countries it is about 1- 2 percent). In Kenya, the poorest 20 percent of the population earns 5.0 percent of GDP, in Uganda 6.6 percent, and in Ethiopia 7.1 percent.[iv] At the same time, large parts of the (rural) population still depend on international food aid; for Ethiopia alone 589,000 metric tons in 1998.[v]

With persistent poverty, high population growth rates, and most of the small subsistence farmers and nomadic pastoralists marginalized, new socio-ecological dimensions put

added pressure on lowland/highland eco-zones sensitive to degradation and catastrophes (recurrent floods and droughts). The socio-ecological dimension of underdevelopment is more than a contributing factor to the political economy of wars in the area. Those small subsistence producers who depend more on degrading renewable resources (fertile land, water, and wood) have been further marginalized by those among the rural and urban elite who can mobilize economic substitutes through access to the necessary resources most often provided by access to the world market.

The divide between highland and lowland population as well as climatically and environmentally determined modes of rural production is a significant pattern throughout the Horn. Adverse impacts on an increasingly fragile environment may in turn aggravate structural heterogeneity within the Horn's countries, for instance, through a further decrease of historically already low productivity in the traditional rural sector due to degradation of land, forest, and water resources. Deterioration of the environment in the marginalized sector may also have negative impacts on the modern sector if and when the latter depends on use of scarce renewables, such as fresh water, wood, and fertile land for large-scale irrigation schemes and/or cash-crop plantations (for example, the Awash and Woiyto valleys in Ethiopia).

The traditional rural sector is most affected by hetero-geneous development. In the rural (subsistence) sector, dependence on natural capital per definition is extremely high. Degradation of badly managed resources means the natural capital itself is shrinking in total and per capita terms – and not accumulating. Only state-sponsored development areas with agro-industry and mechanized farming get access to financial and human resources in order to enhance productivity. As a result of the green revolution and limited programs established by international and/or state agencies in some countries, a new service sector is emerging between the two poles: traditional smallholders on one hand and agro-industry on the other. However, in most of the Horn areas, this sector remains a rather small niche and does not absorb the landless, migrants,

livestock breeders, smallholders, or the internally displaced.

Furthermore, societies in the Horn are fragmented through regionally bound economies dominated by eco-geographical boundaries (highland–lowland interaction) due to lack of means of communication, of legal regulations, and of viable political institutions. The consequences of such a combination of geographical constraints and poor state performance are numerous: For example, competing land-use and land-tenure systems leading to confusing property rights, subdivision of already small plots leading to overuse of scarce land resources, over-centralization combined with poorly developed sub-regional urban centers, lack of off-farm opportunities, and high taxes combined with low capital investments leading to a lack of financial input in rural areas. A main predicament of the past in most if not all Horn countries is certainly the extremely high dependence of the economy on intervention by the central government leading to failures in rural development if not of the state itself.

POLITICAL CONTEXT: LACK OF INTEGRATION AND COOPERATION

Given the socio-economic disparities, societal heterogeneities, and geographical boundaries, it has always been difficult to create a stable regional security identity in the IGAD region. Culturally and historically speaking, various fault lines, which have successfully been politicized in the course of the last century, crisscross the arena. One is the line between Arabic and Black Africa linked with lines between Muslim and Christian culture; the lines between highland and lowland cultures are often linked with ethno-political boundaries; the line between peasant cultures and nomadic pastoralism often relates to the other lines mentioned too.

There are political factors such as the absence of a leading power (like South Africa in SADC or Nigeria in ECOWAS), heavily differing forms of national governments and types of state constitutions, diverging domestic policies, and self-cen-

tered nationalist leaders who may set limits to regional effectiveness as well as minimizing efforts for integration and cooperation (see, for example, the collapse of the East African Community in the 1970s).

The informal but strong linkages of most of the Horn states with centers and powers external to the region has always been much stronger than the links among the IGAD countries themselves. Given the Horn's strategic geopolitical importance, as it provides a prime spot from which to project power and provide rear-base support for military intervention in the Middle East and Persian Gulf, some states in the region featured boldly in the superpower ideological rivalry and political engineering for strategic spheres of influence during the Cold War era. In more recent times, these links have included Sudan with Egypt and Libya; Somalia, Djibouti, and to a lesser extent Eritrea with the Arab Peninsula; and Kenya and Uganda with Southern and Central Africa.

REGIONAL STABILITY AND INSTABILITY

Most writers on the Horn highlight the predominance of a culture of external interference in the affairs of neighboring states. Cliffe describes the pattern of conflict in the Horn as one of "mutual interference" (see chapter 2), a characteristic that has existed for more than thirty years.[vi] He argues that the origins of this "mutual interference" culture are rooted in the authoritarian and dictatorial nature of the regimes. These regimes consequently drove most opposition groups to organize abroad – setting up governments in exile and bases from which they could launch cross-border attacks and campaigns against sitting governments. These destabilizing liaisons form an impressive network encompassing all areas of the Horn. Regimes tend to actively intervene, to provide arms, or to support movements opposed to governments in neighboring countries.

Somalia provides the most vivid example of this "mutual interference" culture. During the ten years of fragmentation and civil war in Somalia, neighboring states and

regional brokers backed different faction leaders, supplying them with money, guns, and, in some cases, direct military support. Somalia became a fertile arena for proxy wars and regional interference. The flare-up of the Ethiopia-Eritrea border conflict in 1998 exacerbated this trend, and tensions are likely to remain high among these three countries, even with cessation of hostilities. A snapshot of regional involvement in Somalia before the election of the new government is provided below:

- Egypt, Libya, and Eritrea supplying support to Mogadishu faction leader Hussein Aideed
- Ethiopia, Libya, and, to a lesser extent, Egypt supplying support to north-eastern leader Abdullahi Yusuf
- Ethiopia and, to a lesser extent, Egypt backing Mohamed Ibrahim Egal, leader of the self-declared state of Somaliland, northwest Somalia
- Ethiopia providing direct military support for the Rahanwien Resistance Army based in Bay and Bakool, southern Somalia
- Some Ethiopian support to Mogadishu faction leader Musa Sude Yalaho
- Kenya's weakening foreign policy in the region through the 1990s, rendering connections with various faction leaders insignificant

Given the situation outlined above, what are the implications for regional conflict management? The optimism with which the IGAD mandate was received was rapidly eroded by the outbreak of war between Ethiopia and Eritrea. This severely limited the organization's capacity to address regional security. In a grouping as small as IGAD, disagreements between member states have tended to undermine the organization's ability to execute its mandate effectively.

Commenting on this reality, Kenyan Foreign Minister Bonaya Godana noted that: "Djibouti and Kenya are the only two countries that have had no diplomatic row with one or other of the IGAD member states in recent times. And Ethiopia,

which has been given the responsibility of leading the IGAD peace talks in Somalia, is now concentrating on the war with Eritrea and correspondingly with actions along its border with Somalia. We have to acknowledge the weakening of IGAD is there – we wish these problems between IGAD members did not exist."[vii]

Against this complex historical, socio-economic, and political background, the demand for innovative regional peace and security structures is urgent. It is clear from the preceding discussions that patterns of conflict in the Horn of Africa in Makumi Mwagiru's words "pose serious questions about the practices of its management and centralize the need to engage in debate about creative conflict management."[viii]

Some might argue that the combination of all these factors renders any attempts to create a conflict early warning and response mechanism (CEWARN) for IGAD member states quite futile. Yet none would deny the need to put in place mechanisms that facilitate effective regional dialogue and decision-making on matters related to peace and security. The options are thus either to remain cynical and do nothing while appreciating the need for action or to address the daunting and complex task actively. IGAD has chosen the latter path, one that, as we have shown above, has been riddled with obstacles and numerous stumbling blocks.

As discussed in the Introduction and chapter 7, the CEWARN design has involved the pragmatic acknowledgement that CEWARN is unlikely to have region-wide coverage at this point. Regional politics, particularly the "mutual interference" factor, outlined above and in chapter 2, illustrate the reasons for this. Cooperation in the field of early warning and early response is only likely to be achieved gradually, as confidence in the system grows. Confidence building is thus a key component of the CEWARN project. It is for this reason that the mechanism's initial focus is conflict in pastoral areas along borders. The next section provides a background to the nature of conflicts in pastoral areas along borders.

CONFLICTS IN PASTORAL AREAS ALONG BORDERS

If we focus on the character of many international borders in the Horn, we find interesting economic and ecological features.[ix] Teka, Azeze, and Gebremaraim note that the border areas are generally "arid and semi-arid environments, inhabited by pastoralists and agro-pastoralists and governed by livestock-based economies."[x] The very nature of pastoral livelihoods demands a high degree of mobility guided by the need for access to water and grazing land rather than any deference to state borders. This ecology, as Hizkias Assefa points out, has created "symbiotic relationships between pastoralists and agro-pastoralists transcending modern state boundaries. In addition, to these common livelihood systems, similar ethnic groups are found along the regional state boundaries."[xi]

Prolonged food shortages resulting in increased cross-border movements as people move with their livestock in search of food, water, and better grazing land have also contributed to the region's refugee problem. Throughout the region, three consecutive years of poor rains and the onset of drought affected an estimated 16 million people,[xii] resulting in an increased number of what are now referred to as ecological refugees.[xiii]

Pastoral communities play a major societal role in all seven IGAD member states. Throughout the region, nomadic pastoralism is one of the most important ways of life for rural society. Livestock holdings contribute heavily to the wealth of the IGAD countries. Nomadic pastoralism, as a traditional system, is currently under pressure, induced primarily by modern development and related social changes. As a consequence, pastoralists in all IGAD countries are becoming increasingly involved in violent clashes and armed struggles against each other as well as in fights with other societal groups and government.

Pastoral conflict and violence in the sub-region is historically linked to the violence that accompanied the state formation in the colonial era.[xiv] The genesis of these conflicts was triggered by colonial state policy. The gazetting and appropriation of large parts of the pastoralists' communal lands, as was the case in Uganda, triggered contradictions and conflict between pastoralists and the state. The violence meted out by

the authorities pushed these communities to the fringes of the state and led to their being marginalized. This contributed to the strong impulse among pastoralists to acquire firearms to match or counter state violence. The British authorities administered emergency law to rule the sub-region's people (northeastern Uganda, northern Kenya, and southeastern Sudan). The colonial authority's quest to pacify the people led them to neglect any meaningful investment in fields of social and economic development. Lord Harcourt's observation provides a clear illustration of this: "It appears to me both dangerous and unremunerative for the Governor of Uganda to undertake the administration of a country which is not easy to access from headquarters and which has no great resources."

Imposing fixed internal divisions (for example, northern Kenya was a closed district in colonial times) and international borders without regard for livelihood systems of pastoral communities had devastating results. Thus it is quite clear that colonial borders – and the way they have been administered since then – are a crucial factor behind conflicts in border areas: Awuondo warns that "the pastoralist understanding and response to ecological pressures was systematically eroded by colonialism. This was affected by drawing ethnic and national boundaries as well as restricting cattle movements."[xv] This situation of acute socio-economic underdevelopment and deliberate neglect in the sub-region is also linked to a colonial political economy that favored private to communal ownership of the principal means of production (land).[xvi]

In more recent times, the decline of pastoral livelihood systems as a result of unfavorable ecological patterns; inadequate development policies and interventions, poor infrastructure, resource allocations, and social services has increasingly marginalized pastoral communities. Thus, raiding has become an alternative means of livelihood. And, as one commentator notes, "Restricting movements, which was a fatal decision, meant when the animals of one group died, the only way to replenish stocks the most natural and socially available – was cattle raiding."

Civil wars over the years in Ethiopia, Sudan, Somalia, and Uganda have led to proliferation of small arms and light

weapons. The wide availability of arms, apart from being devastating in terms of human loss, has altered the cultural foundations of many communities – erosion of traditional conflict-resolution mechanisms in the face of arms-bearing youth being one of the most significant examples. Given the livelihood insecurity of communities in border areas, availability of arms has provided the means for communities to seek alternative livelihoods (inevitably violent ones) such as livestock rustling and banditry.

The phenomenon of livestock warlord rivalry has now emerged, most notably in the Kenya, Sudan, Uganda border area (particularly in the Pokot and Turkana communities). In Kenya, the Pokot have raided the Tugen, Marakwet, and Keiyo; internationally they have raided the Turkana and Karamajong of Uganda and the Toposa of Ethiopia. The warlords command small and well-equipped armies and, as Osamba reports, "have acquired more sophisticated weapons [as bandits] than those of government security forces; bandits have become *de facto* administrators in northern Kenya."[xvii]

Rebel activities along the Kenya-Ethiopia border further complicate the nature of conflict. The frequent tensions along the Kenya-Ethiopia border are largely rooted in the belief that the Oromo Liberation Front often uses Kenya as a base for retreat from Ethiopian forces following armed engagements. In response, Ethiopian militias often cross over into Kenya in hot pursuit of OLF rebels and end up in violent clashes with communities in Kenya. There are several reported incidents of these sorts of incursions and one reported incident in which several Kenyan policemen were killed and one captured and taken across the border. These incidents put a great deal of strain on relations between Kenya and Ethiopia.

The Ethiopia-Somalia border, and particularly the Ogaden region, has been the arena for what John Markakis calls an "old and bitter conflict" between two pastoral Somali clans – the Ishaq and Ogaden.[xviii] This conflict, related to access to watering points and pasture, was "greatly exacerbated by the intervention of political forces from outside the pastoralist realm."[xix] These political forces have claimed to a Greater

Somalia that resulted in inter-state wars between Ethiopia and Somalia (1960s and 1977-1978) and more recently (October 2000) in tensions between Ethiopia and Somalia in border districts near Doolow.

The case study border regions (for more detail see chapter 6) are characterized by weak state structures in the pastoral areas. As in the colonial days, security considerations predominate in official thinking. Traditional governance systems, while under pressure, are still dominant. The exception is Kenya where chiefs and community leaders are state appointed. The areas have few roads, rendering it extremely difficult if not hazardous to communicate between these authorities and the rest of the country on either side of the common borders. This situation has serious implications for security in general and maintenance of law and order in particular. Social services like education, health, and veterinary services are meager, and communities along these borders suffer from the effects of severe social neglect and economic underdevelopment.

The overarching issue is that of governance, and the key challenge is in addressing the manner in which states have responded (or in most cases not) to underlying causes of violent conflicts. Government responses have usually been reactive, characterized by use of force (indiscriminate in many cases) in the face of insecurity. This has gone hand in hand with systematic neglect of pastoral communities. How can states manage population movements, mediate community relationships, and ease trade across borders? One needs a border regime of utmost flexibility that facilitates cross-border movement and trade while reducing the immense ecological, economic, and social pressure in border areas.

NOTES

i   At the start of 2000, the region hosted over 1.2 million refugees and 3.2 million internally displaced persons. These figures rose to 1.3 million and 4.2 million respectively following resumption of fighting between Ethiopia and Eritrea, continuing violence in southern Somalia and Sudan, and severe drought in parts of Djibouti, Eritrea, Ethiopia, Kenya, and Somalia.

ii   Lionel Cliffe, "Regional Dimensions of Conflict in the Horn of Africa." *Third World Quarterly*, 20, 1 (1999).

iii   Cliffe, 1999.

iv   For these and more data about social disparities – also concern-ing gender – see: United Nations Development Program (UNDP), *Human Development Report 2000*, Oxford and New York, 2000): 158.

v   UNDP, 2000, 240.

vi   Cliffe, 1999.

vii   IRIN interview of Kenyan foreign minister, Bonaya Godana, April 23, 1999.

viii   Makumi Mwagiru, "The Greater Horn of Africa Conflict System: Conflict Patterns, Strategies and Management Practices." (*USAID Conflict and Conflict Management in the Greater Horn of Africa Project Reports*, 1997).

ix   This section draws substantially on Cirû Mwaûra's paper "Borders, Frontiers, and Conflict in the Horn of Africa." (Centre for Conflict Research and Friedrich Ebert Foundation Conference on Borders, Frontiers, and Conflict in Africa Conference Papers, 2001).

x   Tegegne Teka, Alemayehu Azeze, and Ayele Gebremaraim, *Cross-border Livestock Trade and Food Security in the Southern and Southeastern Ethiopia Borderlands*. (Organization for Social Science Research in Eastern and Southern Africa (OSSREA) Development Research Report Series 1, 1999).

xi   Hizkias Assefa, *Towards a Culture of Peace: A Regional Approach for the Transformation and Prevention of Conflict in the Horn of Africa* (UNESCO PEER Culture of Peace Project Document, 1997).

xii   UNHCR, *State of the World's Refugees, A Humanitarian Agenda* (Oxford, Oxford University Press, 1997).

xiii   Anders Hjort af Ornas and M.A Mohamed Salih, eds. *Ecology and Politics Environmental Stress and Security in Africa*. (Uppsala: Scandinavian Institute of African Studies, 1989).

xiv   See Peter Adwok Nyaba and Peter Otim, *Conflicts in Pastoral Areas along Borders: The Kenya, Uganda, and Sudan*. CEWARN Consultancy Report (London: FEWER, 2001).

xv   Odegi C. Awuondo, *Life in the Balance: Ecological Sociology of Turkana Nomads*, (Nairobi: ACTS Press, 1992).

xvi   See Nyaba and Otim, 2001.

xvii   Joshia O. Osamba, "The Sociology of Insecurity," *African Journal on Conflict Resolution* 1:2 (2000).

xviii   John Markakis, "The Ishaq-Ogaden Dispute." *Ecology and Politics* (1989).

xix   Markakis, 1989.

CHAPTER 2

CONFLICT MANAGEMENT AND RESOLUTION IN THE HORN OF AFRICA

LIONEL CLIFFE AND PHILIP WHITE

INTRODUCTION

As outlined in the preface by IGAD Executive Secretary Atallah Hamad Bashir, IGAD's conflict prevention, management, and resolution (CPMR) program consisted of five different components; CEWARN was only one. This chapter is based on investigations that were part of another component tasked with an assessment of CPMR capacities in the IGAD region. Given that CEWARN emphasizes linkages to existing mechanisms, those dimensions that have significance for setting up a CEWARN mechanism are emphasized here. Picking up from chapter 1, this chapter provides a more in-depth overview of conflicts in the Horn of Africa, linking it in with existing CPMR initiatives.[1] The purpose is illustrative and does not aim to offer an exhaustive list. Nor does this chapter take the reader on a long and often familiar review of the nature, causes, and dynamics of all the conflicts. We concentrate on bringing out those aspects that are germane in handling current conflicts, trying to answer two questions: (1) What does a conflict of a particular type require as a "solution"? (2) What mechanisms for CPMR might be appropriate? In addressing these issues, the chapter develops a classification of types of conflict that can act as a yardstick in assessing the adequacy and

appropriateness of mechanisms that have been or ought to be employed.

The CPMR mechanisms (the capacities of which are considered in this chapter) fall into two different categories:

- Agencies: a wide range of institutions – governmental and non-governmental, formal and informal, modern and traditional – at the regional, national, local, communal, and community levels have been, are at present, or could in the future be involved in CPMR. Their actual or potential roles are part of what needs to be examined.
- Tools: a variety of techniques and methods, rules and procedures, political and other processes are among the activities and initiatives that have been employed. Their varying degrees of success need to be evaluated.

Capacity refers to the existence and effectiveness of such mechanisms. The distinction between "existence" and "effectiveness" is crucial throughout this study of capacity assessment. They need not specialize in CPMR but may have the potential to contribute. They may be *ad hoc*, ephemeral bodies that emerge in response to particular instances of conflict. The effectiveness of institutional intervention in CPMR depends significantly on the presence and strength of a social consensus regarding (1) generally the appropriate and desirable ways and means of managing social conflict, and (2) specifically the nature and issues of a given conflict. Consequently, cultural traditions, belief systems, and conventions that shape attitudes to conflict are factors in determining capacity for CPMR.

DEFINITIONAL CLARIFICATION FOR CONFLICT PREVENTION, MANAGEMENT, AND RESOLUTION

Before entering into deeper discussion on regional capacities, it is necessary to clarify some definitions so as to demarcate the areas covered. Given that chapter 3 provides a clear assessment of conflict early warning and prevention, the

conceptual focus is on conflict resolution and management.

Conflict is understood as a confrontation between social groups with clashing interests and incompatible goals. Societal conflict is a universal phenomenon, intrinsic to the process of social change. It is inevitable so long as material and social resources are unequally distributed within society, and inequity is reflected in cultural, social, and political relationships between groups. Security (physical, material), identity (cultural, religious, ethnic), recognition (social, political), and development (adaptation to change) are basic human needs expressed collectively through membership in social groups.

Conflict between groups inevitably tends to have political dimensions and implications by virtue of the fact that the groups are organized and/or because the state is involved either in trying to handle conflict or in becoming the arena for such conflict. But conflict can also be political in origin; its aim may simply be a struggle for power for its own sake rather than to further broader group interests and goals.

Eliminating social conflict is impossible and may be undesirable. But not all disputes and conflicts between groups are expressed in collective, organized violence. Preventing social conflict from escalating to that level is often possible and desirable, although not necessarily desirable if violence is the only redress for major inequities and grievances (like *Apartheid*). When violence does erupt, it can be contained and kept from spreading to other groups and areas. And it may eventually be resolved if the grounds for the original conflict are mediated and removed or means to prevent a future descent into violence are put in place.

Resort to violence could indicate either the absence or ineffectiveness of institutionalized processes and rules for resolving social conflict, the state's inability to enforce them, the government's illegitimacy and/or involvement as a party to the conflict, or the absence of social consensus on the issue of the conflict. Alternatively, resort to violence can indicate the presence of individuals or factions with an interest in instigating and perpetuating conflict that can shape and manipulate group opinion.

There are several conflict types and levels that also define the main parties involved. Few conflicts in the IGAD region are without cross-border linkages, a fact that greatly complicates the task of conflict management. The following distinctions can be made:

- Inter-state conflict is obviously the highest level and also the most rare; there have been only three instances in the IGAD region during the post-colonial period.
- Civil war is far more frequent, pitting states and regimes against groups that challenge their legitimacy; all IGAD member states have had this experience in the past, and several of them are experiencing it at present.
- Inter-community conflict between groups, usually over territory and resources, is another familiar phenomenon in the IGAD region.
- Intra-community conflict between sections of one group over resources, leadership, and its perquisites is likewise familiar.

Prevention, management, and resolution of the last two levels of conflict, inter- and intra-community, are assumed to be among the state's essential tasks. In relation to civil war or rebellions, it is again seen as one of the state's responsibilities to handle such conflicts, but in such contexts the state is also both the target of violent opposition and a participant in the conflict. By definition, the first level involves two or more states.

In contrast to conflict management and resolution, conflict prevention refers more to processes or interventions that inhibit social conflict from taking on a violent form, rather than eliminating all disputes and conflicts of interest in a society (more detail is provided in chapter 3).

Conflict management refers to actions taken to mitigate or contain ongoing violent conflict, trying to limit the scale of destruction and suffering in order to avoid spillover potential into other regions or neighboring countries. The type of action

can range from force to humanitarian assistance to mediation. Depending on the level or type of conflict (see above), the parties involved in conflict management will have a different composition, capacity, and status.

Conflict resolution has two widely different meanings. One refers to immediate action taken to bring a halt to violence and involves mediation, negotiation, facilitation, conciliation, leading hopefully to disarmament and demobilization of fighters. A cease-fire or other way of ending open violent conflict is an essential but not the only element. The second refers to long-term action designed to remove structural causes of conflict, to transform relationships, change attitudes, and bring about lasting peace. Outcomes of the resolution process often do and always should include mechanisms to avoid or manage future outbreaks of violent conflict. They may in turn provide for some solution to whatever underlying disputes and grievances have led to conflict. Such outcomes can emerge through a variety of processes – formal or informal agreements, *ad hoc* arrangements, an eventual war-weariness, or outright defeat/victory. Again, depending on the goal and type of action, the parties involved in resolution will differ in composition, capacity, resources, and status.

The government's role in dealing with any of these levels of conflict may be impaired by any one of a number of circumstances, many of which are common in the IGAD region. The state itself may either have lost effectiveness in handling community conflicts or is caught up in particular conflicts in a way that makes it partisan rather than a neutral mediator. Or the non-state mechanisms that have customarily handled them may have become less effective. Governments typically deal with internal challenges by some combination of suppression of armed rebellion and political concessions or negotiations and will normally seek to prevent such conflicts from becoming open and violent. Such preventive and containment action is usually easier if the state is not seen to be part of the conflict.

TYPES OF CONFLICT

The following discussion uses a particular kind of categorization of conflict that brings out the crucial features that have implications for the way they might best be handled. Put simply, the typology poses these practical questions:

Who is fighting whom? What organizations, groups, or movements are opposed to each other?

In particular, how is the state involved: (1) as the target for violent opposition? (2) as a main contender in a power struggle (with internal or external forces)? (3) as the ultimate, disinterested mediator; or (4) as a partisan third party?

Distinguishing Conflicts on Basis of Level and State Involvement

Normally, the state is expected to be the main agency for CPMR but may on occasions fuel conflict, deliberately or through some unintended effect of other actions or circumstances. It may also lose the capacity to prevent and manage conflicts and thus allow those prepared to use violent means to gain the ascendancy. Ideally it should play a role in community level conflict by being an even-handed mediator, even when it seeks to impose a solution administratively on both parties. However, the state may often play a partisan role, which may not prevent violence and which makes sustainable resolution more difficult.

Taking into account the centrality of the state's role, in theory (if not always in practice) the prospects for preventing, managing, or resolving conflicts will depend as much as any other factor on the extent and manner of state involvement. In seeking to assess the existence and effectiveness of CPMR's institutional capacity, the state is the crucial agency to be considered. Table 1 depicts the typology used in this chapter.

Table 1. Types of Conflict Differentiated by State Involvement

Type	Level
Interstate	1. War
	2. Border clashes
	3. (Mutual) aid to rebels
National	1. Rebel challenge to state power
(government involved)	2. Region in conflict with center
	3. Warlordism
Community level	1. Government partisan
	2. Government neutral, mediating
	3. Government uninvolved

Cross-border Dimensions of Conflict

The cross-border dimension helps shape the nature of conflict in this region. It renders a definitive military solution difficult; thus it helps to prolong some conflicts indefinitely. Moreover, these cross-border conflicts bedevil inter-state relations in the region, as each state seeks to retaliate against its neighbors by hosting dissident movements from across the border.

State borders divide communities nearly everywhere in the IGAD region, making it likely that even localized conflicts can have border dimensions and complications. This is most likely to happen in the pastoralist zone through which nearly all state border lines are drawn in this region, dividing communities and obstructing natural movement of peoples, livestock, and trade. Conflict involving pastoralist communities is likely to spill over frontier lines when help is sought from kinsmen across the border. Raiding for animals, a widespread practice in the pastoralist zone, often takes place across borders. Commercialization and access to automatic weapons have greatly raised the stakes of this practice, occasionally resulting in what might be termed international incidents.

Conflicts that challenge the state or the existing regime usually transcend state borders, because opposition move-

ments seek and nearly always find support or at least safe haven in neighboring countries. In fact, it is axiomatic in the region that a dissident movement without a base across the border has no chance to succeed.

It has been common practice in this region for states to offer hospitality to dissident movements operating in a neighboring country. When relations between neighbors become hostile, then dissidents might find not only hospitality but also significant material support. The principle that claims, "The enemy of my enemy is my friend," is a categorical imperative of regional diplomacy adhered to by all states, having survived numerous bilateral agreements to the contrary. Indeed, the most fundamental challenge to reducing conflict in the IGAD region is that of evolving an alternative pattern and practice, of a regional security regime that limits rather than amplifies internal and inter-state conflicts simultaneously.

The cross-border dimension also includes the role of the diasporas, whether found across the border or across the ocean. Significant material, moral, and propaganda support for embattled groups comes from this source.

THE ABILITY OF EXISTING MECHANISMS TO DEAL WITH CONFLICTS

Cross-border Mechanisms

Comparison of findings from the several countries, especially when reviewing relations between pairs of neighboring countries, shows a wide range of differing experiences in terms of ability to contain disputes and disruptions and in establishing institutional mechanisms for handling them. Four different sets of circumstances wherein conflicts across state boundaries can emerge were identified in the previous section: disputed borders, clashes between communities across a border, mutual intervention by outside governments in internal conflicts, any one of which, alone or in combination, might spark off or in turn be sparked off by a fourth: inter-state warfare.

Disputed Borders

The recent war between Eritrea and Ethiopia under-lines the terrible human cost when such disputes escalate into major violent confrontations. It serves as a reminder that the best action in other such cases would be conflict prevention. In such a context a conflict prevention formula is likely to be one in which each pair of neighbors agrees to set up a joint commission (with or without a third party mediator such as the UN or IGAD itself) to settle any outstanding ambiguities or counter claims about border delineation or demarcation. Recent history provides only a few examples of such pre-emptive res-olution of disputes so as to prevent conflict. One such instance that resulted in some degree of acceptance transferred territory claimed as Ugandan to Kenya – but this was accomplished while there was still a single colonial authority ruling both countries. Other instances of unilateral "settling" of frontiers by the later colonial powers, such as the Haud, are still remem-bered as a source of grievance. It should also be recognized that the existence of disputed enclaves in some cases only threatens to generate open conflict when relations between two govern-ments deteriorate because of other factors. This was one find-ings in our Sudan study of the Sudanese-Egyptian and other disputes.[ii] The lesson may be to initiate exploration of disputes and options for their resolution, but only when timing is appropriate, i.e., when the countries are on good terms or are resolving other matters.

Nevertheless, there is much to be said for systematic review of all cases from which potential border disputes could emerge and joint bodies are set up seek lasting solutions. Eritrea's disputed border in the Red Sea with Yemen is one of the only cases where a definitive ruling was made by an inter-national legal body and accepted. But there again the lesson is that such steps could have been taken preemptively before a vio-lent clash had caused loss of life and soured relations.

There have been instances of conflict management in such border disputes, meaning in this context that action is taken to prevent a descent into open conflict. In one or two instances, it would be more appropriate to talk about inaction:

Kenya and Sudan seemed to have reached an agreement at the top political level not to do anything to disturb (or clarify) the ambiguous status of the Elemi triangle. Similar disputes between Somalia and Kenya were defused many years ago. Yet these and others are instances in which tacit agreement often exists – one entered at summit or other high diplomatic level as part of a political arrangement. The agreements are not codified nor made public and transparent. Nor are monitoring and regulatory mechanisms set up and institutionalized.

The recent Eritrea-Ethiopia case is a cautionary tale in many ways, but specifically in this context, because a joint commission was in place to seek clarification of the border and to ease tensions that were recognized as building up (thus hardly a case of lack of early warning). The Eritrean case study thus makes a point of providing detailed review of the experience of that commission and the failure of it and other mechanisms to achieve what they had been set up to do.[iii] It is worth reading closely, for the report concluded that the failure was not in any inherent defectiveness of the commission but at higher political levels. Specifically, in a context where issues between the two countries were routinely settled by personal dialogue at the summit level, there was no awareness of the problem or sufficient political will to manage it by means other than violence. This analysis supports a general conclusion that border issues of prevention and management have usually been handled on an *ad hoc* basis, being taken seriously only after tensions have been built up, and by political dialogue at leadership levels. Even though the latter process has chalked up some successes as well as spectacular failures, the lesson would seem to be that processes that are more transparent and institutionalized might be more sustainable, especially if undertaken *before* tensions mount and while relations are not mutually suspicious.

Thus resolution of border disputes, which preferably should occur at an early stage to stave off conflict, is not the same as resolution of wars that, to a degree, are generated by border conflicts. Fortunately, either by ignoring such issues or by the casual diplomacy discussed above, the region has been

spared cases of such inter-state conflict, and thus *conflict resolution* of such border issues has seldom arisen. The exception, of course, is the Ethiopian-Eritrean war. But that case has a further lesson of relevance to this section: in the event the proposal to handle the border dispute through an international third party review was the easiest aspect of the long and complex negotiations on which to reach agreement to end the war. Moreover, it was a formula that had been available to the two parties before they went to war – and it is available to all other pairs of states with border ambiguity. By that time, of course, there seemed to be many other dimensions of the war that had to be settled. The experience of international and regional actors, including IGAD, in those broader problems will be reviewed below in discussion of inter-state wars.

Cross-border Intercommunity Clashes

Conflicts and disturbances between communities living on opposite sides of the border are common in the region. These may involve rustling of livestock or other forms of theft, terrorizing of communities, destruction of crops, smuggling and imposition of illegal levies on trade, and trade in arms. Such violent events may be essentially local ones between communities. But because they involve international frontiers, they have the potential to escalate, as a result of some combination of the conflict becoming "ethnicized" or through involvement of government personnel. The other implication is that conflicts that might otherwise be managed or resolved by customary, inter-community mechanisms tend to involve local administrators and even foreign ministries and state security services. As a consequence, the processes of CPMR need to become more complex.

These conflicts also tend to be dealt with in an *ad hoc* way, and in response to escalation of open conflict rather than on a pre-emptive and institutionalized basis. Two examples of a more formalized mechanism being put in place may offer more generally applicable lessons. Sudan and Chad have had a joint border commission operating and meeting regularly for many years. This body deals with the range of problems men-

tioned at the start of the paragraph above. But it also deals with encroachment by rebels from across the border and even border demarcation issues. It seems to have defused many conflicts. Recently a committee was set up to deal with conflicts across the Somalia-Kenya border, originally reaching out from the Kenya district of Wajir but now extended to other districts of the Northeast Province.[iv] This innovative committee involves administrations from the two areas as well as army and police on either side of the border, but also traditional authorities and civilian representatives. Women's groups are involved and were responsible for many of the first initiatives. The body is also remarkable in that there are no formal "authorities" or "security service" on the Somalia side of the border – but that has not prevented whatever informal authorities exist on the ground from being involved in a system that works.

Mutual Intervention

There is a persisting systematic pattern whereby internal rebel groups operate from neighboring countries, often with the support of governments. Intervention escalates on a tit-for-tat basis. These tendencies aggravate and amplify the internal conflicts and make them harder to resolve. They also exacerbate tensions between countries and make contested issues between them harder to settle peaceably. Indeed, this pattern is often at the root of the chronically unstable and volatile regional security regime that characterizes the Horn.

Although some individual internal conflicts have been resolved, and occasional (but usually short-term) improvements do occur in bilateral relations, little has been done systematically so far to tackle this combined problem of internal conflicts feeding off external support from countries whose relations are antagonistic. One of the few exceptions was that the new governments that took power in 1991 in Ethiopia and Eritrea concluded bilateral agreements with each other and with the Sudan government to stay out of each other's affairs and even to curb activities of exiled rebel groups in their territories. The political agreement operated for about three years, and activities of opposition groups in neighboring capitals

were inhibited in various ways. But this broke down in 1994, and the three countries reverted to earlier patterns of mutual interference.

Any attempt to reverse this systematic pattern would be a daunting task: it would be a matter of great complexity; and it would involve seeking agreement between governments whose attitude toward each other is far from one of good will. However, unless some thought is given to this level of problem and possible options are explored to resolve it, the likelihood is great that conflict resolutions (either internal and inter-state) will not last and there would be indefinite continuation of regional conflict. Given this complexity, IGAD could not be expected to come up with an immediate formula for such a fundamental transformation. But it constitutes the only forum whereon such discussion and imaginative rethinking can take place. The temporary abnegation of interference, like that between the three countries mentioned, suggests that the present pattern is not immutable. There are also instances, like the agreement between the Ethiopian and Somalia governments in 1988 that emphasize the mutual advantage in non-intervention. This should be stressed as opposed to the seeming short-run political gains from intervention.

Peacemaking in Inter-state Wars

Fortunately there had only been the one case of inter-state war in the region, the Somalia-Ethiopia war of the 1970s, until the 1998-2000 war between Ethiopia and Eritrea. However, one can also say that, despite Africa's conflict-ridden image, this region is the only one on the continent where inter-state wars have occurred. So, even if very rare, the wars' enormous human and political cost and the fact that they have occurred at all mean that it is vital to explore what mechanisms are in place to resolve and prevent them. What has been attempted in those cases of open warfare? And what might be done to ensure that mechanisms can prevent or manage potential future cases?

The Eritrea-Ethiopia war is of great significance for future conflict resolution in the region, and specifically for

IGAD. A look back to events following the outbreak of war in 1998 shows that there was a delay before initiatives got under way. The world was shocked and did not anticipate the escalation and scale of fighting or its long duration. But neither were there any clearly available mechanisms for stepping in. Eventually there were a host of peace initiatives, mostly by particular governments at first – Burkina Faso, Rwanda, the U.S., and regional bodies like EU, which appointed a special representative, and the Arab League. The UN Security Council passed resolutions but took no active part in mediation, until it came in to play the crucial role (and one that only it can play) of monitoring peacekeeping and settling the border, as well as setting up commissions to deal with compensation and identifying "causes." In fact the OAU played a critical role, especially through its Central Organ of the Mechanism for Conflict Prevention, Management, and Resolution (COMCPMR). Like IGAD's equivalent, it is still developing its own capacities. The Algerian president also took an active mediation role.

　　IGAD itself was unable to play a significant role in any of these initiatives. This inertia was perhaps predictable, as the war involved two member governments with whom other members had intimate relations. Both had been among the leading proponents of reinvigorating IGAD during the mid-1990s. These circumstances raised the issue of whether IGAD could ever have been an appropriate and sufficiently disinterested third party. Even if it had been seen as appropriate, the antagonism between the two countries also imposed strains on the organization itself and generated a paralysis. Nor was the paralysis in any way a result of shortcomings of the IGAD secretariat or of other member governments. However, the crucial lessons to be learned are that IGAD must be prepared to play more of a role, developing the robustness and diplomatic skills to take some hand, no doubt with the OAU and UN, in any such future slide into war. Unless such capabilities are built up over time to prevent and manage the most serious threats to security, any regional system of CPMR will be impaired – not least because of the regional interrelationship between all levels of conflict.

CONFLICT PREVENTION, MANAGEMENT, AND RESOLUTION IN NATIONAL CONFLICTS

As has been documented, the IGAD countries have faced armed insurgencies challenging authority of the state itself, at least over certain parts of its territory. Distinctions have been made between three kinds of such national conflict situations differing in levels of seriousness of their challenge to government:

- Rebellion, constituting a movement that seeks to overthrow and replace an existing regime; an uprising with such aims may generate a scale of conflict that could be called civil war, but this will not always happen.
- Regional opposition to central government.
- Warlordism, presence in some part of the national territory of organized armed groups not subject to government control; these challenge the state's monopoly of the means of violence.

Findings about how each of these conflict types has been dealt with are summarized in the sub-sections below.

Rebellion and Civil War: Military Solutions to Internal Conflict

Evidence indicates that there may be many self-proclaimed movements seeking to overthrow governments by armed means. But it also shows that many of these can be of short duration, their escalation into serious violent conflict pre-empted by political deals and/or by forceful suppression, while some have just fizzled out. Uganda is an extreme example of this trend: only a handful of some thirty would-be rebellions have posed a serious threat to the government at the time or to a conflict-free existence for citizens.

At the opposite end of the spectrum, there have been several occasions when those putative rebellions that do escalate into real civil war have ended with the defeat of government

forces and replacement of the ruling regime. In the case of
southern Somalia, the first of these was achieved without a
replacement regime taking its place for a decade. In Somaliland
and Puntland a single *de facto* authority emerged. Three others
of the present IGAD governments came to power after civil
war; one has remained in power after gaining a superior posi-
tion in a civil war, while another came to power through a
military coup, and the remaining one put down a coup in the
past.

This history of governments coming to power or main-
taining it by outright defeat of opponents underlines the fact
that violent conflicts can end by being fought out to a conclu-
sion – not by peaceful mediation or other political means.
Thus military means must be included in the lexicon of mech-
anisms for conflict resolution. One limitation of this form of
resolution by enforcement is that it may leave those disputes
and social and political conflicts that underlay open conflict
unresolved. Or it may generate a new round of grievances.

Political Resolution of Civil War:
Direct Negotiations

This history further suggests that once an internal armed
opposition cannot be pre-empted or contained, there is a ten-
dency for civil war to occur, dragging on with massive harm to
civilian populations until fought to a conclusion. But where
outright victory is not possible, prolonged stalemate and a
permanent war society and economy occur. Thus both sets of
circumstances – defeat for one side in a civil war or permanent
internal war – and their relative frequency point to the dearth
of effective political mechanisms that can come into play to
resolve serious internal war, once initial containment fails.

There have been only a very few recent instances where
both two parties in a civil war have acted successfully on their
own to conclude an agreement that ends fighting and reshapes
the political system so that they can act out their differences
through conventional political dialogue and opposition. One
such example was the Peace and National Reconciliation
Agreement that ended the civil war in Djibouti in 1994. The

series of agreements brokered in Somaliland to end inter-clan and militia fighting could be seen as a case that had parallels. In both these cases the agreements provided not merely for a cease-fire to end the violence and for some demilitarization and demobilization of fighters. They also created a new political dispensation, including revised or even new constitutions. In one of the region's most important conflicts, the civil war in Sudan, there has been a long and so far unconsummated series of negotiations. These are dealt with in detail in the next sub-section, as they have mainly involved third parties. But what should be noted here is that it has become accepted that a new political dispensation of some kind must be part of this civil war's resolution, although debate and disagreement about what this new political system would look like has been a major stumbling block to resolution.

These few cases where peace in major internal war has been negotiated or is seriously being negotiated, tend to support lessons from elsewhere in Africa that a reshaped political system must be considered as one of the most effective mechanisms for sustainable resolution of internal warfare. A "'democratic" structure is often the political formula prescribed for African conflicts: witness the recommendation of an earlier African research program "democratization of the society through constitutional arrangements that give every group a say in governance...."[v] But the value of that formula is that it gives weight to a process of incorporation and participation of groups. Decentralization may be as important as, say, competitive, multi-party elections. The record in Africa does indicate that provision for elections can be part of a formula for resolving conflict, but the Djibouti case and others in Africa, like Angola, also suggest that a "first-past-the-post" electoral system can exclude groups from power and may not resolve conflicts.

Inter-Community Conflict Prevention,
Management, and Resolution:
Customary Mechanisms

Among the most clear-cut and widespread of findings from the various country case studies are those relating to operation of indigenous modes of conflict resolution and peace maintenance. To simply label these "traditional" often obscures some of their key characteristics and the reasons for their past effectiveness. But in any event they are usually well established. They are also usually couched in ritual procedures meaningful to the people involved, whether from one ethnic or cultural group or two. This in turn underlines the seriousness of these undertakings and their continued observance.

The single country case studies that contributed to this chapter (and larger study) show the wide extent of these practices and their past effectiveness. Some of them are extensions of the laws and values of particular societies, for example,. the *xeer* principles governing Somali communities. But it is also clear that they have characterized potential conflicts between ethnic or linguistic groups and not just those between clans, communities, or extended families of the same cultural group. Thus such practices and associated rituals are not part of the "culture" of only one group but have emerged in an innovative way to deal with new conflicts as they developed with trends such as population expansion, new demands on territory, etc.

The record also includes a few attempts by governmental bodies to use and even institutionalize such indigenous practices, although with mixed success. The lessons to be derived from the many such experiments over several decades seems to be that, where governments seek to take over, subordinate, or transform such mechanisms, they are usually unlikely to remain effective and may not even survive.

Indeed, the most clear-cut and disturbing finding relates to the widespread *decline* in the ability of such indigenous mechanisms to play a role, to guarantee sustainability of any agreements reached, or even to survive. Certainly the degree to which such a decline has already occurred varies from locality

to locality, even within the same country. Yet the underlying trend seems undeniable. Incorporation by governmental bodies in an inappropriate form is only one possible factor behind such deterioration in effectiveness. Population movement and displacement as well as changes in social and economic circumstances are also involved.

This finding is corroborated by one recent study that offers an explanation related to the nature of contemporary conflict in Africa. [VI] Traditional African conflict management practices, which generally reflect principles of reconciliation and reintegration (rather than retribution and exclusion) based on long-standing relationships and values/norms, tend to be effective in addressing intra-community conflict and even inter-community conflict where relationships and shared values must be established as part of the reconciliation process. However, contemporary conflict is often associated with processes of modernization and deep sociopolitical change, which challenge the very authority on which such relations and values depend (for example, as leaders seek to mobilize ethnic communities to vie for control of the state). Such authority-destroying conflict thus tends to elude the integrative capacities of traditional CPMR as much as it eludes efforts of modern diplomacy.

The policy implications of such a trend are extremely serious, not least those for any CEWARN system that assumes the existence of such mechanisms for handling certain kinds of impending, local conflict situations. Therefore, it is important to document these trends and to explain them if possible, so as to offer suggestions as to how this decline might be halted.

In Sudan, for instance, traditional institutions among the Beja in the east, *maglis*, emphasize truce-making and compliance mechanisms. These are still in operation and continue to curtail violent conflict but are losing some of their status. Meanwhile in Darfur in the west, traditional mediation mechanisms (*agaweed*) have been undermined by fundamental social changes and by being subordinated or even by-passed by "tribal conferences" set up by central authorities. In the South of the country, past ability to keep violent conflict within

bounds has also eroded.

Out of nine local cases of conflict that were examined in our Ethiopian study, six reported that indigenous mechanisms had formerly played a part in conflict resolution between communities from different ethnic groups.[vii] These were often institutionalized and given local names: *shimiglana* (Nuer-Anuak) or *arrara* (Karayu-Afar). In only one instance were such mechanisms successful in resolving conflict and sustaining peace. In two others, such agencies had been absorbed into local joint peace committees, now or in the past, with some success. But traditional mechanisms or authorities in the others had begun "to lose their ritual powers and cultural significance" over a generation or more. Among the reasons for this decline were the spread of populations (and thus greater intensity of conflict) or the failure to evolve joint mechanisms. The sidelining of such mechanisms by top-down efforts by administrations or even the army often emphasized punitive measures rather than reconciliation, sometimes acting with a partisan rather than neutral stance.

Similar findings come from a published study focusing specifically on the erosion of such mechanisms in a multiethnic area of southwest Ethiopia, which "until recently had customary and ritually sanctioned ways of resolving conflict."[viii] The study sees the problem as a result more of increasing state hegemony than of involvement of this peripheral area in the global political economy. It recognizes "the efforts of state agents to mediate emerging conflicts in conditions of increasing resource scarcity and identity struggle, (by involving) customary mediation mechanisms and their cultural symbolism," but suggests that involvement is mainly "rhetorical" and is in practice undermined structurally by other initiatives of administrative agencies. It also recognizes the "inability of the (representatives of the) ethnic groups to redefine their relationships in a constructive and culturally acceptable manner." Generally it points to a prevailing need "to reconstitute a new political arena of conflict resolution," involving customary mechanisms (if need be in resuscitated form) working with governmental institutions, but reports a failure to fulfill this goal. This might

well be seen as a motto for this part of the chapter.

In Uganda, the conflicts given attention in our study have been the many rebellions against central power.[ix] It is not surprising that such major conflicts concerned with modern political power should not be amenable to resolution by local, customary agencies alone. But the findings of our country study point to contributions by such procedures and rituals as well as by local elders and other traditional authorities in some instances. These have noticeably occurred when central authorities have not been partisan and have sought to involve them in new and *ad hoc* negotiations. In short, Uganda also illustrates the general conclusion that indigenous, traditional mechanisms can play a CPMR role. However, this is more likely to be effective if they themselves are accorded renewed authority and perhaps a revamped role alongside state and civil society institutions.

The report on Somalia spells out in the greatest detail the customary agencies and their typical procedures that were used among Somali communities throughout the Horn, both within clans and sub-clans and between them as well as in smaller communities.[x] Events in all parts of the former Somalia Republic since the late 1980s clearly show that major cleavages developed, which were beyond the capabilities of the complex indigenous mechanisms to contain. Another lesson, however, is in how the use of traditional elders and other institutions and an adherence to their procedures and style played a major role (especially in Somaliland but also in Puntland) in not merely resolving such major, political conflicts but providing the basis for a new, modified political arena within which CPMR tasks can be handled. But in an interview, a key actor in the long process, now a senior figure in the House of Elders *(Guurti)*, commented on this process of using traditional mechanisms and breathing new life into them. This had only been possible in the part of Somalia subjugated to a British system of '"indirect rule" more accommodating to traditional structures. It may no longer be replicable in areas subject to the more intrusive system of Italian colonial administration. In other words, some Somali experiences sig-

nal the enduring possibility of a contribution of indigenous mechanisms, but they also underscore the general conclusion that such agencies and procedures have lost considerable potency, especially in addressing types of conflicts that now abound.

The Eritrea report affords two cases in which traditional mechanisms came into play.[xi] The long-running land dispute between Tor'a and Tzenadeghle was not amenable to official, top-down modes of resolution. Indigenous methods came into play eventually, but only when they were used alongside new initiatives from "civil society" actors from within the two communities. The second set of cases, involving Afar communities, have shown a continuing role for indigenous mechanisms, but only when those local institutions (and especially the method of holding kin responsible for violent acts) were defended successfully against a range of threats to undermine them from outside over many decades.

Our report from Djibouti documents how the two peoples, the Afar and Issa, both had elaborate structures and procedures for resolving the inevitable conflicts in pastoralist societies, although each was based on a different logic.[xii] Some mechanisms also existed for settling Issa-Afar community disputes. It is the latter that have suffered the most significant undermining: they were probably at best only measures for obtaining a cease-fire rather than settling underlying causes, so they lack enough robustness to survive partial replacement of most traditional mechanisms by French colonialism or the pro-Issa partisanship of most state structures since independence.

CONCLUSION

This chapter has provided an overview of existing conflicts and conflict management and resolution mechanisms in the Horn of Africa. The discussion concludes that there have been sophisticated and effective customary mechanisms for conflict prevention, management, and resolution at several inter-state, national, and sub-national levels, even between different ethnic communities in the IGAD regions – more than

many official channels often realize. These mechanisms should not be ignored in contemporary efforts, and CEWARN should aim to use as many of these in an integrated way as it can (both as informants and receivers of early warning information and analysis as well as potential "responders"). However, such possibilities are cast in doubt by one strong finding: that given decades of political change and the escalating scale and changed nature of conflicts, customary mechanisms for handling intra- or inter-community conflicts are eroding or collapsing and must be restructured, strengthened, and perhaps associated with other mechanisms. Perhaps the best expedient for putting new, effective mechanisms into place is to involve such customary mechanisms and processes within new frameworks and with other actors.

This assessment, however, has applications beyond those of CEWARN, which tends by definition to be concerned with upcoming or worsening conflicts and with prevention and management – implications for resolution of the several long-standing conflicts in the region. When it comes to rebellions and civil war, military "solutions" do have a role to play in resolving internal conflicts, but sustainable resolution is likely to demand some reshaping of the political system. In relation to border disputes and cross-border inter-community clashes, the existing prevalence of *ad hoc* approaches to prevention and management should give way to more transparent and institutionalized processes that are accordingly more sustainable. Finally, while IGAD must be prepared to play more of a role in preventing inter-state wars, it also provides the only forum for resolving the systematic pattern of mutual intervention between states that continues to underpin much of the conflict afflicting the Horn.

NOTES

i   The project was identified as Output 1 of the IGAD Program on CPMR (the development of CEWARN was Output 4) and was funded by the European Union. The assessment was carried out by a team of consultants from the Peace, Conflict, and

Development Group at the Centre for Development Studies, University of Leeds, in Great Britain. In addition to the authors of this chapter, the team included Professor John Markakis, and national experts from the IGAD countries: Osman Abrar, Alemseged Tesfai, Ayele, Professor Joshua Olewe-Nyunya, Dr. Ismael Ahmed, Dr. Khalid El-Amin, Dr. Adam Azzain Mohamed, and Frank Muhereza. Their contribution has been invaluable and is reflected in this chapter. However, none of them is responsible for any opinions or inaccuracies in it, which are the sole responsibility of the two authors.

ii   An output of the study on which this chapter is based was a model for an IGAD database on conflict prevention, management, and resolution capacities in the Horn of Africa.

iii   Adam Azzain Mohamed and Khalid El Amin, *Conflict Prevention, Management and Resolution: Capacity Assessment Study for the IGAD Sub-region – Phase 2: Implementation*. Reports by National Experts: Sudan (University of Leeds, U.K.: Conflict, Disasters and Development Group, Centre for Development Studies, 2001).

iv   Alemseged Tesfai, *Conflict Prevention, Management, and Resolution: Capacity Assessment Study for the IGAD Sub-region – Phase 2: Implementation*. Reports by National Experts: Eritrea (University of Leeds, U.K.: Conflict, Disasters, and Development Group, Centre for Development Studies, 2001).

v   Joshua Olewe Nyunya and Isaac Otieno, *Conflict Prevention, Management, and Resolution: Capacity Assessment Study for the IGAD Sub-region – Phase 2: Implementation*. Reports by National Experts: Kenya (University of Leeds, U.K.:Conflict, Disasters, and Development Group, Centre for Development Studies, 2001).

vi   A. Adedeji, ed., *Comprehending and Mastering African Conflicts: The Search for Sustainable Peace and Good Governance* (London: Zed Books, 1999): 331.

vii   I. William Zartman, ed., *Traditional Cures for Modern Conflicts – African Conflict "Medicine"* (Boulder/London: Lynne Rienner Publishers, 2000).

viii   Ayele Gebre Mariam and Getachew Kassa, *Conflict Prevention, Management and Resolution: Capacity Assessment Study for the IGAD Sub-region – Phase 2: Implementation*. Reports by National Experts: Ethiopia (University of Leeds, U.K.: Conflict, Disasters, and Development Group, Centre for Development Studies, 2001).

ix   J. Abbink, 'Violence and the Crisis of Conciliation: Suri, Dizi, and the State in Southwest Ethiopia', *Africa*, 70:4, (2000).

x   Frank Muhereza, *Conflict Prevention, Management, and*

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xi   Ismail Ahmed, *Conflict Prevention, Management, and Resolution:
      Capacity Assessment Study for the IGAD Sub-region – Phase 2:
      Implementation. Reports by National Experts: Somaliland, Puntland
      and Southern Somalia* (University of Leeds, U.K.: Conflict,
      Disasters, and Development Group, Centre for Development
      Studies, 2001).

xii   Tesfai, 2001.

xiii Osman Abrar Aden and Mohamed Abdullahi Rirash, *Conflict
      Prevention, Management, and Resolution: Capacity Assessment
      Study for the IGAD Sub-region – Phase 2: Implementation.* Reports
      by National Experts: Djibouti (University of Leeds, U.K.:
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      Development Studies, 2001).

CHAPTER 3

CONFLICT EARLY WARNING AND PREVENTION: TOWARD A COHERENT TERMINOLOGY

SUSANNE SCHMEIDL

INTRODUCTION

Even though the end of the Cold War has brought the ideas of conflict early warning, prevention, and management much closer to reality, much remains to be done in order to move from mere lip service to real-time functioning mechanisms. IGAD's CEWARN is one step in this direction. For CEWARN to function, however, it needs the support and commitment of all IGAD member states and their constituencies, a commitment that may only come once the ideas of conflict early warning, prevention, and management are properly understood. It is conceptual clarity that often proves to be the first vital step that guarantees movement from an idea to successful implementation. After all, action is easier when one knows what to do. This chapter's aim is to provide such conceptual clarity in order to lay out the theoretical assumptions upon which CEWARN is built. I draw heavily on my work especially "Early Warning and Integrated Response Development" and "Die Kapazität internationaler Organisationen zur Frühwarnung und Prävention von schweren Menschenrechtsverletzungen und bewaffneten Konflikten."[1]

DEFINITIONS AND CLARIFICATIONS

First, it is important to note that the focus of conflict early warning, prevention, and management is violent conflict that can lead to destruction, instability, and humanitarian disaster. This acknowledges that (social) conflict in itself is not a negative force but often crucial to producing necessary and constructive change (see also chapter 2). Violent conflict, however, is not always confined to inter- or intra-state wars, as it can also occur at a more modest level that may ultimately trigger all-out war. Thus, CEWARN may concern itself with violent conflicts that range from relatively small-scale violence in pastoral areas along borders to large-scale intra- and inter-state wars in the region. Here it is even possible to start with a narrow entry point to build confidence and slowly expand the tasks of conflict early warning, prevention, and management over time.

Second, it is crucial to understand that conflict moves in cycles with pre-, in,- and post-conflict phases. Most states in the Horn of Africa have experienced conflict at least at one point (see chapters 1 and 2) and thus would fall at the end of a continuum shown in Table 2. However, if a new conflict is formed out of novel root causes, we may speak again of a pre-conflict phase. Conflict early warning, prevention, and management gains importance within these conflict cycles. This is in contrast to peacebuilding that tends to be generally applied only in post-conflict situations and generally goes beyond the management of conflict to developing institutional capacity to alter situations that lead to violent conflict.[ii] Yet there are exceptions, especially at the local level and particularly in the Horn (for example, south Sudan, northwest Kenya, the Rift Valley in Kenya) where peace-building has also been used within in-conflict situations, showing the difficulty of drawing clear borders and inter-linking all these activities.

Table 2.   Conflict Early Warning and Prevention in the Conflict Cycle
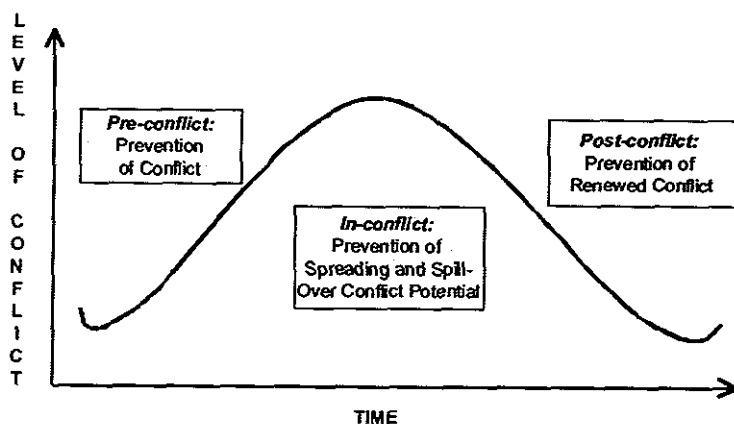
However, conflict early warning, prevention, and management are intertwined, with one exception: conflict early warning and prevention also applies to pre-conflict stages, while conflict management only comes into action once conflict has already erupted and focuses on measures to reduce the intensity of violent conflict. The notion of conflict prevention is reflected in the much-cited *Agenda for Peace*, where then UN Secretary General Boutrous Boutros-Ghali defined it as "action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts, and to limit the spread of the latter when they occur."[iii] Boutros-Ghali already realized that the ideal type of conflict prevention — to only act *prior* to conflict escalation — was extremely hard to realize in the "real" world of multiple conflicts.[iv] Conflict prevention is also too often understood as a short-term process, even though durable peace is not an easy task. One need not always wait until crises are imminent before incorporating preventive ideals (including peace-promotion and conflict management skills) into existing routine operations of government and multilateral organizations. The latter shows the connection and overlap with conflict management.

Finally, conflict early warning is a pre-condition for all the other activities. The aspect that separates early warning from peacebuilding and conflict mitigation is its implied pro-active and not reactive character with a focus on early and not late action.[v] More specifically, Schmeidl and Adelman point out that early warning needs to be seen as a precondition to developing political will and thus initiate (or better inform) reasonable response strategies.[vi] This makes early warning the *sine qua non* of effective conflict prevention for humanitarian action cannot be undertaken without it[vii]

While conflict early warning, prevention, and management are inter-related, their effectiveness is only maintained if the activity of early warning is not mixed in with conflict management. Otherwise initiatives in conflict management may end up paying selective attention at best to information and analysis in the effort to see any peace initiative in the most favorable light. Furthermore, if an early warning unit is not independent, there will be a great temptation to try to shape the analysis so that the mode of action adopted is reinforced. Finally, early warning analysis and conflict management need different skills, most notably facilitation and mediation skills for the latter (see chapter 2 for more detail).[viii] Yet this functional separation merely applies to institutional setups, as active collaboration is essential for making conflict early warning, prevention, and management more successful.

Early warning tends to encompass the following components:[ix]

- Collection of information (specific indicators)
- Analysis of information (attaching meaning to indicators, setting it into context; recognition of crisis development)
- Formulation of best/worst case scenarios and response options
- Communication to decision makers

Early warning systems were first used to predict floods, hurricanes, volcanic eruptions, earthquakes, and stock market

crashes in the economic sphere. During the 1980s, early warning was introduced into humanitarian affairs in the areas of predicting famine and refugee migration.[X] Like its predecessor, humanitarian early warning was primarily focused on alerting relief agencies to impending humanitarian crises in order to allow for contingency planning and timely provision of adequate food, shelter, and medication, thereby minimizing the negative effects of famine and forced displacement. While preventive activities were difficult or impossible when dealing with nature (famine) and too political when dealing with refugee movements that were either rooted in conflicts or persecution by a state behind the banner of state sovereignty, early warning served as a tool for maximizing assistance. The focus was on relief efforts and not preventive action.

However, given the immense human suffering resulting from violent conflicts and costly post-conflict emergency requirements, humanitarian early warning shifted its focus to knowledge-based models that enhance decision makers' ability to identify critical political developments in a timely manner in order to formulate coherent strategies to prevent or limit the destructive effects of violent conflicts.[XI] The emphasis was less on *forecasting* and more on *anticipating* a potential crisis; namely escalation or eruption of inter-state and intra-state armed conflicts. The aim here is to avert violence; and the primary focus is preventive efforts instead of relief.

EARLY WARNING VERSUS INTELLIGENCE

Before moving into a more fine-tuned discussion on how to realize conflict early warning, prevention, and management, the difference between early warning and traditional intelligence systems needs to be pointed out. Confusion may arise as early warning and intelligence both depend on similar methods such as collecting and analyzing information, scenario building, and recommending options to decision-makers for action and intervention. But early warning differs from traditional intelligence in one fundamental point by stressing the welfare of others ('human security') rather than state secu-

rity.[xii] Thus, while intelligence is a commodity collected to protect the national interest and integrity of state borders, early warning information is collected to anticipate and prevent humanitarian emergencies. Until recently, early warning was generally practiced by states not affected by a potential crisis, but by those (outsiders) that pay the price of humanitarian assistance. Since the end of the Cold War these states have also been involved in preventive intervention or Chapter VII operations. Yet this is slowly changing, with regional organizations (such as IGAD in the Horn of Africa) taking charge in attempting to anticipate, prevent, manage, and resolve conflicts within their own (regional) borders. See chapter 4 for other regional initiatives in Africa. The United Nations Development Programme (UNDP) is also working on a similar approach with states in southeast Europe.[xiii]

It is important to note the difference between information collected for intelligence and early warning purposes. The first and most crucial difference is that early warning tends to work with information available in the public arena, while intelligence true to its name also collects classified information and state secrets. Interestingly enough, due to the information revolution through the Internet and electronic mail (for example, ReliefWeb and the Integrated Regional Information Network [IRIN] of UNDHA/UNOCHA), most information (about 80 percent) now tends to rest in the public domain anyhow. The remaining 20 percent is generally of little importance for early warning purposes. As early warning tries to anticipate conflicts, information on troop movements gearing up for an armed invasion, for example, is mostly irrelevant, since conflict has already escalated, and one can hardly speak of conflict prevention. But such information is crucial for state intelligence to inform the army of a threat to state integrity. Thus, collaboration and information sharing become key in early warning activities. Central to this principle is the understanding that success of early warning cannot depend on any one state or organization to do it alone or to hold a monopoly over it. The key to successful exchange efforts lies in developing common information handling, management, and

exchange approaches. Cooperative efforts at the international, regional, national, and local levels improves both the quality and quantity of relevant information collected, and this strengthens the capacity to manage violent conflicts.

These fundamental differences – the goal of early warning and its information demands – leads to rather distinct approaches, not only on how to handle information but also on how to analyze and disseminate it. The traditional intelligence system relies primarily on secrecy, situation rooms, and encrypted communications of highly classified information. In contrast, early warning primarily depends on transparent methods and sharing open-source information, although the information distributed may be classified and restricted to different levels of users. Another critical distinction is that information and analysis is produced in a transparent rather than closed system. This means that analysis is often outsourced or performed by a research team connected to a network of local and international experts, while intelligence assessments tend to be performed in house, often by only one high-clearance analyst or a small group of them. Thus, while early warning relies on crosschecking its information and analysis and bringing multiple points of views on board, intelligence has a more narrow internal focus. Furthermore, while an early warning analyst tends to know the purpose of his/her analysis and would be involved in formulating case scenarios and response options, it is common for intelligence to work with several layers of analysts with a highly centralized post holding all the strings together.

This suggests that intelligence and early warning systems also differ in their degree of centralization. As noted, an intelligence system is highly centralized and depends on in-house information collection and analysis with extremely limited levels of access – even by members of the state apparatus. In contrast, an early warning system is highly decentralized and depends on significant involvement of the civilian sector for information input and analyses (research units in universities or think tanks). Thus, the goal of CEWARN and IGAD is more coordination and facilitation than control of information and analysis (as is the case with the central mechanism in intelligence).

It is useful and important to be aware of these crucial distinctions to avoid misunderstandings – especially about a mechanism such as CEWARN, which is designed to serve an intergovernmental agency. If early warning were anything like intelligence, it would fail because most countries will not share information vital to their national security. However, the common goal of human welfare can slowly build trust in information sharing among nations. In brief, early warning and the CEWARN project are best defined as a disinterested intelligence system, designed to serve human security in the region and not the narrow interest of states.

EARLY WARNING AND CONFLICT PREVENTION – FROM FAILURES TO LESSONS LEARNED

When passing judgment on conflict early warning, prevention, and management, we need to be aware that the entire field is still a major work in progress – especially since it did not begin to boom until the end of the Cold War.[xiv] Nevertheless, the experience over the past decade has rendered some valuable lessons that aid in building a feasible system not doomed to failure from the beginning. The main message so far is that it may not be the concepts of early warning and conflict prevention that are faulty *per se*, but potentially our application or failure thereof. We can characterize failures linked to early warning's technical aspects (information collection and analysis), its institutional aspects (communication channels and decision-making processes), as well as its response side. Failures at the response side of conflict prevention not only tend to be linked to technical or institutional constraints but also to situational and political conditions. They are often a complex combination of errors of omission and commission, which Bruce Jentleson argues come from the "dysfunctional dynamic between the actions and inactions of the international community."[xv] Thus, while conflict early warning, by definition, deals only indirectly with the action itself, experts believe that the "advisory" component of early warning (case scenarios

and policy options) actually decreases the warning-response gap and political will problem (especially if a lack of political will is linked to lack of knowledge about an action plan rather than a preference for inaction). Thus, improving the analytical capacity that flows into this aspect of early warning is at least as crucial as trying to correctly anticipate escalation of violent armed conflict.

In light of the above, George and Holl tend to differentiate among the following failures of conflict early warning, prevention, and management:[xvi]

"Inadequate, lacking, and poor information." Too little information leads to misinterpretations (or lacking understanding) of the situation (Somalia in 1991).

"Inadequate or faulty analysis." There was enough information, but not enough analysis, which in turn leads to misreading the situation at hand (Yugoslavia and Rwanda). It is also possible that an entirely new occurrence that has never been researched before impairs understanding. One of the biggest challenges (and causes for hesitation for involvement) in the case of Somalia was the fact that the incidence of a "failed state" was then still a relatively novel phenomenon, one that actors did not know how to approach.

"Mind-blindness." These are usually considered cognitive structures that impair our perception and judgment. In some cases this can be seen as wishful thinking or a vague hope for the best and does not want to take the worst possible scenario into account (for example, not wanting to see a genocide in Rwanda).[xvii]

"Poor, inadequate, or lacking communication channels." This is often linked to bureaucratic obstacles or failures. The most famous example is the fax that General Dallaire of the United Nations Mission in Rwanda (UNAMIR) peacekeeping force sent on January 11, 1994, alerting the UN to planned massive slaughter of Tutsis in Kigali. While the fax was circulated within the Department of Peace Keeping Operation (DPKO) and later within the humanitarian and political departments, it never reached the Security Council. The only instructions

Dallaire received were to inform the embassies of the U.S., France, and Belgium in Kigali, but his request to search for weapon arsenals was denied. Subsequently, Dallaire tried three more times in February with a request to search and destroy weapon depots, but DPKO denied all three requests.

"Noise or static" (from other conflicts). This problem will always exist, as there will always be multiple situations requiring attention, be it other conflicts or other issues with which decision makers must deal. In the cases of Rwanda, Haiti and Yugoslavia, and also Burundi, in the region, served as major distractions. We must also consider the "signal-to-noise" problem, meaning that background noises (other conflicts) can cover up a specific signal. It is also important that the potential recipients know that the signal is meant for them; otherwise they may miss it or even intentionally find an excuse to ignore it.[xviii]

"Unfavorable political environment." This is linked to political interests of local, regional, and international actors. Sometimes actors do not favor peace but are interested in armed conflict for political or economic reasons—the spoiler problem. At other times, actors may have had no interests either way. Finally, action is sometimes disregarded in order not to avoid meddling in the business of strong states (Chechnya in Russia, East Timor in Indonesia). Action often accompanies political interests, for example, prevention of spillover potential of a conflict (Macedonia) or threats, for example, the fear of major refugees influx, Kosovo).

"Incoherent, inconsistent, inadequate, contradictory, incomplete, or even harmful response strategies." Preventive action was too slow and/or too late (especially clear in Kosovo and East Timor). Actions taken were inadequate, and/or the long-term consequences were not taken into account (see the early recognition of Croatia's independence without considering the impact on Yugoslavia as a whole, exclusion of Kosovo in the 1995 Dayton Peace Accords in order to bring about closure in Bosnia). Actions taken were inconsistent and contradictory (see Yugoslavia, military intervention in Kosovo without considering ground troops). Actions in a complex situation were not fol-
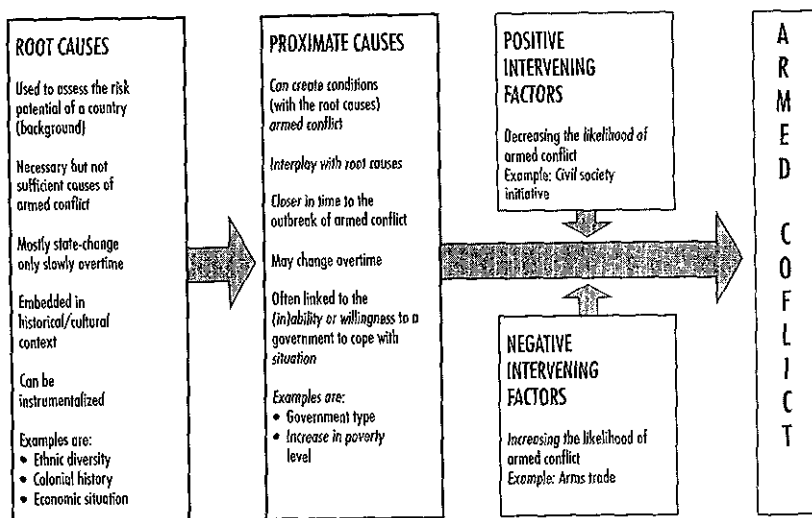
lowed, seen through to the end (for example, Somalia).

"Lacking collaboration (especially at a local level) among major intervening actors." This is frequently the case, particularly in the former Yugoslavia, but also in Rwanda.

THE TECHNICAL SIDE OF CONFLICT EARLY WARNING AND PREVENTION: COLLECTION AND ANALYSIS OF INFORMATION

Extensive work within and outside academia, coupled with the information revolution, has enabled better access to information. Nevertheless, availability of information does not necessarily lead to sensible indicators, as they need to be based upon thorough analysis that identifies the complex inter-relation of factors that may lead to escalation of armed conflict. While the search for a set of key indicators upon which all conflict escalation processes could be monitored has largely been abandoned, there is growing consensus that structuring information around groups of "family" indicators is beneficial. For the purpose of this chapter, I draw on traditional categories of early warning models that were strongly influenced in the 1980s by Lance Clark and the Refugee Policy Group that pioneered the early warning of population displacement.[xix] Table 3 shows a graphic display of such an analytical and monitoring framework.

Table 3.   Analytical Framework for Predicting Armed Conflict

ROOT CAUSES	PROXIMATE CAUSES	POSITIVE INTERVENING FACTORS	A R M E D
Used to assess the risk potential of a country (background)	Can create conditions (with the root causes) armed conflict	Decreasing the likelihood of armed conflict Example: Civil society initiative	C O F L I C T
Necessary but not sufficient causes of armed conflict	Interplay with root causes		
Mostly state-change only slowly overtime	Closer in time to the outbreak of armed conflict		
Embedded in historical/cultural context	May change overtime	NEGATIVE INTERVENING FACTORS	
Can be instrumentalized	Often linked to the (in)ability or willingness to a government to cope with situation	Increasing the likelihood of armed conflict Example: Arms trade	
Examples are: • Ethnic diversity • Colonial history • Economic situation	Examples are: • Government type • Increase in poverty level		

The two push factors considered in early warning models are root causes and proximate causes. Root or systemic causes refer to general structural and deep-rooted background conditions. According to Clark, they are underlying events and conditions that have existed for many years but are mostly static or only change slowly over time.[xx] They tend to be embedded in historical/cultural contexts such as religious conflicts, long-standing border disputes, difficulty in state building, or ecological degradation. Root causes are thus necessary but not sufficient causes of armed conflict that can be orchestrated by political actors and are generally used to assess a country's risk potential.

Proximate causes are much closer to the actual conflict and can create sufficient conditions (with root causes) for armed conflict. They are specific situational circumstances – widening income disparity, competition between ethnic groups, popular discontent – that tend to interplay with root causes (or root causes work though them). Thus, they may change over time and are often linked to the ability/inability or willingness/unwillingness of a government to cope with given situa-

tions (for example a failure to introduce legislation that allows equal access to political and economic resources in an ethnically heterogeneous environment).

Intervening factors, sometimes also called accelerators can either increase *or* decrease the likelihood of armed conflict and increase *or* decrease the likelihood for peacebuilding (thus either prolonging conflict or contributing to conflict resolution) if an armed conflict is already in progress. [xxi] Thus, it is important to consider any organizations working to diminish violence, including those at the often overlooked grass-roots level. Experts tend to agree that facilitating and inhibiting factors with respect to conflict escalation are very important for prevention of triggering events as well as formulating policy options and mobilizing effective responses.

Indicators are generally grouped roughly under political/institutional, military, economic, environmental/ecological, socio-demographic, and societal/cultural factors. [xxii] In addition, information on key actors and stakeholders is also very important. It is equally important to know their attitude(s) to the conflict/peace process as well as their resources to accomplish their goals. For the purpose of early warning, one needs to be familiar with spoilers that oppose peaceful conflict resolution as well as potential actors who are willing to work for conflict prevention. [xxiii]

There are several kinds of information, and in the ideal case one should rely on multiple types of input such as quantitative data (structural, event data, statistics) and qualitative data (narrative/descriptive data/information). In general, one can distinguish between raw data (unprocessed indicators) and analytical data (information that has already been set into context). Ideally the focus should be on raw data for analysis, but one can use analytical data to inform the analytical process or cross-check one's own findings and assumptions. It is best to use a mix of both qualitative and quantitative information to strive for a comprehensive approach.

Information must also meet certain standards; it must be timely, accurate, valid, reliable, and verifiable. Real-time early warning cannot rely on dated information. The other

attributes are inter-connected and have to do with reliable sources that can be trusted and traced back to the actual source. "Standarization is highly desirable, but by no means easy to obtain."[xxiv] Yet using a set of family indicators aids this a great deal. Networks of interested organizations in an open system can be used to collect and verify information. These practices permit users to judge source credibility and, to some degree, the authority of the analysis. It should be noted that information alone (however sophisticated) is not early warning. "Information without analysis is, as the popular advertisement goes, 'like an orange without sunshine.'"[xxv] It is analysis that sets information into context, that moves from knowledge of a situation to the ability to anticipate violent conflict. Last but not least it can formulate case scenarios and response options that make early warning complete.

Discourse on the best analytical method began inside and outside academia during the 1970s and culminated in an understanding that both quantitative and qualitative methodologies are needed for adequate early warning analysis. Quantitative scholars agree that more macro-level structural models are primarily useful in yielding risk assessments though models using quantitative methods present the problems of data availability in general and time-series data in particular. Large models using many explanatory variables have demonstrated the difficult if not impossible task of activating variables in a way that can use existing data sources. These macro-level models, however, can guide analysis, while the more micro-level approaches are indispensable for the actual monitoring process or to anticipate conflict.[xxvi] Thus, while structural models guide analysis to the degree that they are based on certain theories, in many cases it might not even be possible to obtain the necessary data (across space and time) to test theoretical arguments. This data availability problem has limited existing early warning research based on structural quantitative models to largely retrospective analysis as opposed to predictive analysis. In light of the above, it is best to use a comprehensive approach combining indicator models with case evidence. "Indicator models provide general information about factors that should

be monitored, while case studies provide in-depth information about key personalities, issues, and events that are needed to gauge the prospects for conflict resolution."[xxvii] The necessary detailed information often aids in fine-tuning data accurately to anticipate conflicts that can often be gained only through a context-sensitive qualitative approach.

Furthermore, analysis moved from the explanation of specific types of conflict, such as genocide/politicide,[xxviii] ethnic discrimination and ethnic conflict, inter- and intra-state war, or environmental conflict, to more general anticipation of conflict escalation at earlier stages.[xxix] Discussion on information collection has already highlighted the fact that violent conflict is caused by a set of diverse and interconnected factors. While linked to general key categories, it is necessary to establish on a case-by-case basis the particular mix of factors, the weight of each one including an identification of the most crucial ones, and the historical genesis. For this purpose, it is important to develop a country-specific analytical grid (from a base-line analysis) with targeted indicators that can guide the on-going monitoring process. At a minimum, it should include the group of family indicators discussed above that, in complex interplay, lead to armed conflict.

This shows that information is not collected randomly but clearly based upon important indicators identified in analysis. Yet the grid needs to be flexible, so that new insights from the monitoring process can be incorporated (grounded theory approach). This is crucial, since conditions can change, and analytical explanations need to be adapted to realities on the ground. For example, conflicts might start as socio-economic struggles or competition over scarce resources, and they may end up as ethno-political violence, nationalist campaigns, or genocide. Therefore, early warning and the monitoring of countries needs to be a constant and on-going process ("rolling process").[xxx] Crises can emerge seemingly out of nowhere, which means *ad-hoc* analyses may miss early developments. Thus, especially in the monitoring exercise, it is important to focus on latent and simmering conflicts as precursors of more violence. As Dipak Gupta fittingly said, "It is extremely difficult

to forecast, especially the future, but if you forecast, forecast often."[xxxi] Only when we monitor frequently can we make sure we are not missing even the most insignificant change that can later lead to outbreak of armed conflict. Albert Jongman, for example, showed that five of the low-intensity conflicts classified by the Interdisciplinary Research Program on Root Causes of Human Rights Violations (PIOOM) escalated into high-intensity conflicts over the past year: Chechnya, East Timor, Kashmir, Kosovo, and the war between Ethiopia and Eritrea.[xxxii] Notably, the world community did not predict the *coup d'etat* in Fiji in May 2000, as nobody was paying close attention to this small island.

In light of the above, peace and conflict should be considered as a continuum and not as a dichotomy. This means there are gradual developments in either direction, and one can identify both early warning signals of an impending crisis or signals of hope that show windows of opportunity for strengthening peace efforts. Quantitative indicators are important for monitoring countries daily, but they need to be specifically geared and fine-tuned to the situation/country under observation. In sum, any early warning efforts should attempt to build on a comprehensive and all-encompassing methodology that combines qualitative and quantitative elements.[xxxiii]

INSTITUTIONAL ASPECTS OF EARLY WARNING: COMMUNICATING INFORMATION AND DECISION-MAKING PROCESSES

The example of General Dallaire in the Rwanda case showed that adequate information and correct identification of the problem is not always the most crucial aspect of early warning. While the signaling of impending conflict is clearly important, as is a correct identification of the issue at hand (something that failed in Somalia), it is just as important to have an established procedure as to what to do once an early warning signal is issued.[xxxiv] It seems that the UN in 1994 did not have a clear institutional set-up for dealing with the trans-

mission, analysis, and communication of information related to the impending genocide in Rwanda. The UN simply lacked an institutional knowledge base on how to react in such situations. It is therefore crucial to involve policy makers in the process of formulating policy options and case scenarios in order to fine-tune early warning by adapting to user needs, to build trust in the analysis and recommendations, to influence overall policy planning, and also to function as a pressure mechanism.[xxxv] More crucial, however, a conflict early warning and prevention mechanism (such as CEWARN strives to be) should be linked from the beginning to decision-making bodies. This may ultimately be the largest challenge.

RESPONSE SIDE OF EARLY WARNING: POLITICAL WILL AND JOINT ACTION

In many cases, it seems, the failure of conflict early warning, prevention and management lies here: knowledge of what to do and ability to mobilize support for planned action. It has already been pointed out that a key prerequisite to achieve early action is to work out feasible response options. In addition, it has been noted that structural and operational prevention need to be fine-tuned with each other to achieve a coherent strategy – or, at best, what UN Secretary General Kofi Annan calls creation of a "culture of prevention," meaning a culture in which countries are alert to problems and open to early warning and response strategies in order to avoid deterioration of societal structures. This means that conflict early warning, prevention, and management need not only be aimed at short-term conflict prevention but at a deeper restructuring of ground realities that can ensure stable societies with governments able to cope with conflicts in a democratic, productive, and peaceful manner.[xxxvi] As in preventive medicine, the ultimate goal is not to create fewer clients (sick patients) but to work toward diminishing the need for curative approaches (such as relief for humanitarian emergencies).[xxxvii]

Thus, any organization working on the response side

needs to have: a comprehensive understanding of the situation, taking both short- and long-term issues into account, and an in-depth evaluation to see if a chosen strategy is most appropriate for the desired outcome. For these reasons tools and responses need to be balanced and integrated, with short-term actions matching long-term visions. However, such an approach or strategy is easier for some countries than others. While IGAD and its member states may have moved to identify problematic areas that need working on, they may still need outside assistance to mobilize adequate resources. Hence partnerships, as they exist in the IGAD partners' forum, are extremely crucial where even less-affluent countries can achieve a comprehensive early warning and response strategy with targeted help from outside actors.

More specifically, as ideas of transparency, cooperation, and information sharing set conflict early warning apart from more political intelligence exercises, it is just as crucial to coordinate response options among multiple actors. Somalia and Bosnia are good examples to show how lack of cooperation and counter-productive action among diverse national, regional, and international actors prolonged and worsened the crisis. What is presently going on in the Great Lakes region (especially the Democratic Republic of the Congo) is a prime example of actors working against each other and thereby promoting violent conflict rather than peace.

Nor should joint response depend on any one state, even if they assume the lead (such as Djibouti in the Somalia peace effort). It is always best if a regional organization manages to mobilize successful collective action. This means not just collective action and burden -sharing but also that "third parties must be unified in supporting firm, unequivocal pressures behind a process of peaceful settlement."[xxxviii] In addition, "The condition for successful preventive involvement is measured by the extent to which major global and nearby powers, regional powers, and neighbors actively support (or at least tolerate) preventive efforts, without undermining them by over or covert political or military backing of one disputant or another."[xxxix] Given the realities of the Horn (see chapters 1

and 2), this is a clear challenge in the IGAD region. Just as it is important to work with non-traditional political actors such as civil society in collecting and analyzing information, it is also crucial to consider these elements for a comprehensive response strategy. Inclusion of non-governmental organizations is particularly important when the focus is on durable solutions and not quick political exercises such as a long-term perspective of strengthening the local capacity for early warning and conflict management. Yet involvement of NGOs needs to be carefully considered, as it is clear that they lack the power to enforce sanctions and peace treaties (failure in Somalia). The IGAD decision to work more closely with elements of civil society (see the Khartoum declaration in Appendix C) is an important step in this direction. Furthermore, the entry point chosen for CEWARN (see chapters 6 and 7) is an area with strong civil society involvement.

Finally, there is often a disjuncture between operational and structural prevention meant to tackle root causes of (armed) conflict, and this is often linked with the efforts of long-term peace building, governance, and development cooperation. As structural prevention is usually more removed from the actual conflict (at least in time), it is often less visible and not necessarily credited as a preventive action (even though this attitude is slowly changing). On the other hand, operational prevention occurs closer to the conflict and thus addresses proximate conditions and intervening factors. It can be seen as an attempt to transform political conditions that escalate a crisis and provide recommendations on how to cope with a crisis in a nonviolent manner. Structural and operational prevention should not be seen as mutually exclusive but as an ongoing continuum complementing each other. This is similar to early warning aimed at preventing the outbreak of conflict (pre-conflict), the spread of conflict (in-conflict), or renewed conflict (post-conflict).

One challenge of linking structural with operational prevention is that organizations (or departments within a government) targeted with either effort are separated ideologically and most often also physically. Departments of development

cooperation usually practice structural prevention, while political departments focus on operational prevention. However, it is interesting to note that especially development cooperation has increasingly begun to consciously embrace the role of preventive action.[xl] In light of this reality, Michael Lund recommends that in order "to provide sufficient incentives and disincentives to foster the desired regulated forms of political conflict and social change, preventive action must draw wherever possible on all available programs that may be appropriate to particular situations, including those in economic development and reforms, democratization, military affairs, trade, and education, for example, as well as diplomacy."[xli]

As IGAD started out as an organization initially in charge of development issues that during the revitalization phase began to include issues of peace and security alongside its development work, it might be in an ideal situation to focus dually on structural and operational prevention, forming the crucial linkage with these distinct departments in member states. Yet the challenge that remains here is whether IGAD itself has enough clout to ensure it does not fall into a similar trap as the UN and the OAU of having to bow to pressures of strong member states trying to dominate the agenda. The relative small size of IGAD may make this task easier in the long run.

THE ASPECT OF GENDER IN CONFLICT EARLY WARNING, PREVENTION, AND MANAGEMENT

Given the growing understanding that violent conflict affects women and men differently and recognition of the unique contributions of women and women's organization in the area of conflict prevention, management and peacebuilding, no discussion would be complete without addressing the gender aspect.[xlii] Recent research has begun to highlight the importance of gender in the area of conflict early warning, prevention, and management, albeit clearly the largest contributions lie in the area of peacebuilding. Three interconnected and interrelated assumptions are crucial for highlighting the importance of engendering conflict early warning, prevention,

and management:

- Incorporating gender-sensitive indicators into the collection and analysis process of early warning makes existing models more comprehensive and allows for "early" early warning by anticipating macro-level conflict through micro-level events.
- A similar focus on micro-level changes and interactions between men and women fine-tunes formulation of responses at a political and humanitarian level to address specific vulnerabilities of men and women and assure that certain discriminatory policies are not perpetuated in post-conflict situations.
- Early warning and preventive activities can be made more effective by using untapped potential of women (leaders), women's networks, and women's organizations as actors for peace.

It is important to note that gender means the different learned identities associated with masculinity and femininity. As such, it focuses on the socially designed as opposed to biologically determined (sexual) identities of men and women in societies. The rationale behind introducing a gender-aspect into early warning rests on the argument that use of a gender lens enriches early warning analysis and allows for more appropriate response options benefiting men and women equally. Compared to traditional approaches, gender analysis elicits different (and new) questions about causes and effects of conflict on different sectors of society as well as their particular relationships and roles with each other. In particular, gender analysis holds the advantage of emphasizing changes at the micro-level (community, family). Similarly, when formulating response options, analysts may be prompted to ask other questions relating to conditions of life among different classes, age groups, and identity groups at various levels of society. It follows that including and mainstreaming these considerations into agendas of relevant policymakers at an earlier stage may lead to a more integrated and comprehensive understanding of realities on the ground.

CONCLUSION

Despite the many problems of conflict early warning, prevention, and management, there are few who would doubt its necessity. Jentleson calls this the "realism" of preventive diplomacy: "that it is a viable strategy and can be done, and that it has a strategic logic and should be done."[xliii] Nevertheless, as emphasized before, it is still a work in progress, and we have to be sure to apply lessons learned to new mechanisms. Thus, in addition to adapting CEWARN to regional realities, it was also developed with the latest knowledge of what does and does not work in the area of conflict early warning, prevention, and management. The model presented in chapter 7 reflects a state-of-the-art proposal for a practical and functioning mechanism in the Horn of Africa. It should be noted that this approach, while comprehensive, is tailored specifically to IGAD's regional needs and thus cannot be replicated in other areas. Nevertheless, in light of the discussion here, several basic lessons should be kept in mind while developing CEWARN further (and these can also be adapted to other efforts):

- The fact that early warning indeed needs to be practiced in a comprehensive way, embracing all aspects of the definition put forth (information, analysis, response options)
- The importance of incorporating members of civil society into the conflict early warning, prevention, and management process to maximize success
- The need to work with an overarching strategy linked to systematic tools rather than ad-hoc action
- The need to combine structural and operational prevention and integrate the idea of conflict early warning, prevention, and management into routine politics

NOTES

i   Susanne Schmeidl, "Early Warning and Integrated Response Development." *Romanian Journal of Political Science* 1:2 (2001):

4-5; and Susanne Schmeidl, "Die Kapazität internationaler Organisationen zur Frühwarnung und Prävention von schweren Menschenrechtsverletzungen und bewaffneten Konflikten." Völkermord – friedenswissenschaftliche Annäherungen (Baden-Baden: Nomos, 2001). I also benefited greatly from insights of other team members, especially Sharon Rusu and Howard Adelman.

ii   For a more detailed description of these and other terms related to conflict management, see Alex P. Schmid, *Thesaurus and Glossary of Early Warning and Conflict Prevention Terms* (Synthesis Foundation, Erasmus University, 2000). See also Luc Reychler and Thania Paffenholz, *Handbook for Peacebuilding: A Field Guide* (London, Boulder: Lynne Rienner, 2000).

iii Boutrous Boutrous-Ghali, *An Agenda for Peace: Preventive Diplomacy, Peacemaking, and Peace-keeping* (New York: United Nations, 1992): 2.

iv   Schmid, 24-25, distinguishes here between "primary prevention (*i.e.* minimizing the chances of violent conflict occurring), secondary prevention (containment and mitigation)," and "tertiary prevention (preventing the recurrence of armed conflict)."

v   This is done intentionally, as it is crucial to separate actual analysis from the decision-making process in order to prepare policy options that are as objective as possible. Ted Robert Gurr, "Early Warning Systems: From Surveillance to Assessment to Action." *Preventive Diplomacy* (New York: Harper Collins, 1996). Howard Adelman, "Defining Humanitarian Early Warning." *Early Warning and Early Response* (Columbia International Affairs Online. Columbia University Press, 1998): http://www.ciaonet.org.

vi   Susanne Schmeidl and Howard Adelman, *Early Warning and Early Response* (Columbia University Press: Columbia International Affairs Online. www.ciaonet.org. 1988).

vii See also Adelman, 1998.

viii It is important to separate actual analysis from the decision-making process in order to prepare policy options that are as objective as possible. Gurr, 1996 and Adelman, 1998.

ix   Due to the exponential increase of research in this area, an abundance of definitions exist (*e.g.*, see Gurr ,1996; Adelman, 1998, Sharon Rusu, "Early Warning and Information: The Role of Relief Web." *Synergy in Early Warning Conference Proceedings* (York University, York Center for International and Security Studies, 1997). Susanne Schmeidl and Craig J. Jenkins, "Early Warning Indicators of Forced Migration." *Preventive Measures: Building Risk Assessment and Crisis Early Warning Systems* (Totowa, NJ: Rowman and Littlefield, 1998). FEWER, *FEWER*

Conflict and Peace Analysis and Response Manual (London: FEWER, 1999). PIOOM, *World Conflict and Human Rights Map* (University of Leiden, PIOOM, 1999). However, as they stress more or less similar aspects, I summarize the essential components of early warning.

x   The United Nations Disaster Relief Organization began in 1972, and the United Nations Environment Programme created the Global Environmental Monitoring System (GEMS) in 1975. B. G. Ramachran, *The International Law and Practice of Early warning and Preventive Diplomacy: The Emerging Global Watch* (The Hague: Martin Nijhoff, 1991). In the same year the UN's Food and Agricultural Organization (FAO) established the Global Information and Early Warning System on Food and Agriculture (GIEWS), and in the late 1980s the U.S. Agency for Development designed a Famine Early Warning System (FEWS) in order to avoid a repeat of the disaster encountered through drought and famine in the Sahel and Ethiopia. Abdur Rashid, "The Global Information and Early Warning System on Food and Agriculture." *Preventive Measures: Building Risk Assessment and Crises Early Warning Systems* (Lanham, MD: Rowman & Littlefield, 1998). William P. Whelan, "USAID's Famine Early Warning System: From Concept to Practice." *Preventive Measures: Building Risk Assessment and Crises Early Warning Systems* (Lanham, MD: Rowman & Littlefield, 1998). In 1987 *the Office for Research and the Collection of Information* (ORCI) became the focal early warning point in the UN system until its abolition by UN Secretary General Boutros-Ghali in 1992. The UN Department of Humanitarian Affairs (renamed Office for the Coordination of Humanitarian Affairs — UNOCHA) developed the Humanitarian Early warning System (HEWS) in 1993. Jürgen Dedring, "Report of the Interdepartmental Working Group on Implementation of Recommendations contained in *An Agenda for Peace*" (College Park, MD, University of Maryland; 1994). Adeel Ahmed and Elisabeth Voulieris Kassinis, "The Humanitarian Early Warning System: From Concept to Practice." *Preventive Measures: Building Risk Assessment and Crises Early warning Systems* (Lanham, MD: Rowman & Littlefield, 1998). In 1999, HEWS was disbanded and UNOCHA began to reevaluate its role in the field of early warning (briefly considering a search for key indicators). Parallel to these efforts in the mid-1990s, information consolidation efforts emerged with the Integrated Regional Information Network (IRIN) and ReliefWeb under UNOCHA and Refworld and RefugeeNet under UNHCR. The Department of Political Affairs (DPA) also briefly toyed with the idea of cre-

ating an internal information system called POLIS. Paolo Vacchina, *Polis (Information System for the DPA): Preliminary Requirements Analysis.* Internal working paper (New York: UN Department of Political Affairs, 1992).

xi   Heinz Krummenacher and Susanne Schmeidl, *Practical Challenges in Predicting Violent Conflict— FAST: An Example of a Comprehensive Early Warning Methodology,* Working Paper (Berne: Swiss Peace Foundation, 2001).

xii "Early warning serves the common good and thus differs from traditional intelligence." Howard Adelman and Astri Suhrke, "The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. *Part 2: Early Warning and Conflict Management: Genocide in Rwanda. Joint Evaluation of Emergency Assistance to Rwanda* (Copenhagen: DANIDA, 1996)."Humanitarian early warning is based on protecting interests of others who are at risk." Schmeidl and Jenkins, 1998, 482.

xiii United Nations Development Programme Regional Bureau for Europe and CIS Regional Support Center Slovak Republic. Capacity Building Project for NGOs and Government Offices. *An Early Warning and Strategic Thinking Overview of Early Warning Systems Project for South Eastern Europe,* (Project briefing Note of the UNDP Regional Good Governance Program for Eastern Europe and CIS, Regional Support Center, Bratislava, July 2001).

xiv In addition to the works cited, this section builds on the extensive experience of the author (*e.g.,* Susanne Schmeidl, *From Root Cause Assessment to Preventive Diplomacy: Possibilities and Limitation of the Early Warning of Forced Migration* (Ohio State University, Ph.D. dissertation, 1995). Schmeidl, 2001. Schmeidl and Adelman, 1998. Heinz Krummenacher, Günther Bächler, and Susanne Schmeidl, "Beitrag der Frühwarnung zur Krisenprävention – Möglichkeiten und Grenzen in Theorie und Praxis." *Friedensbericht 1999: Theorie und Praxis ziviler Konfliktbearbeitung* (Chur/Zürich, Rüegger, 1999). Schmeidl and Jenkins 1998. See also Ted Robert Gurr and Barbara Harff, *Early Warning of Communal Conflicts and Genocide: Linking Empirical Research to International Responses* (Tokyo, United Nations University Press, 1996). Kumar Rupesinghe and Sanam Naraghi Anderlini, *Civil Wars, Civil Peace: An Introduction to Conflict Resolution* (London: Pluto Press, 1998). Volker Matthies, *Kriesenprävention: Vorbeugen ist besser als Heilen* (Opladen, Leke and Budrich, 2000). Brigitte Hamm, *Modelle zur Frühwarnung vor humanitären Katastrophen.* INEF Report, No. 7 (Duisberg, Germany: Institut für die Entwicklung und Frieden

der Gerhard-Mercator-Universität, 1999).

xv   Bruce W. Jentleson, "Preventive Diplomacy: A Conceptual and Analytical Framework." *Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-Cold War World* (Lanham, MD: Rowman & Littlefield, 2000): 320.

xvi   Alexander L. George and Jane E. Holl, "The Warning-Response Problem and Missed Opportunities in Preventive Diplomacy." *Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-Cold War World* (Lanham, MD: Rowman & Littlefield, 2000): 34. See also Adelman and Suhrke, 1996; Schmeidl and Jenkins, 1998; and Jentleson, 2000.

xvii   Aside from psychological reasons or even fears, mind-blindness can also be caused by more political considerations, or even fear of failure. "Because policy choices in a crisis are often so difficult to make, individuals (as well as small policymaking groups and organization) may discredit information that calls into question existing expectations, preferences, or policies." Alexander L. George and Jane E. Holl, "The Warning-Response Problem and Missed Opportunities in Preventive Diplomacy." *Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-Cold War World* (Lanham, MD: Rowman & Littlefield, 2000):24.

xviii George and Holl, 2000.

xix   Lance Clark, *Early Warning of Refugee Flows* (Washington, D.C., Refugee Policy Group, 1989). Refugee Policy Group. *Early Warning of Refugee Mass Influx Emergencies* (Washington, D.C., Refugee Policy Group, 1983). The work of Lance Clark and the Refugee Policy Group strongly benefited from the work of the late Fred Cuny. Fred Cuny and B. Stein, "Prospects for and promotion of spontaneous repatriation." *Refugees and International Relations* (Oxford: Clarendon Press, 1998). See also: Leon Gordenker, "Early Warning of Disastrous Population Movement." *International Migration Review*, 20, 2 (1986): 270-193. Leon Gordenker, "Early Warning of Refugee Incidents: Potentials and Obstacle." *Refugees and International Relations* (Oxford: Clarendon Press, 1989). Leon Gordenker, "Refugees in International Politics." *Refugees in the World: The European Community's Response* (Amsterdam/Utrecht, Dutch Refugee Council and Netherlands Institute of Human Rights, 1989). Leon Gordenker, "Early Warning: Conceptual and Practical Issues." Early Warning and Conflict Resolution (London: Macmillan, 1992). Tapio Kanninen, "Early Warning of Forced Migration in the United Nations, Conceptual and Practical Issues". Paper prepared for a Seminar on "Development Strategies on Forced Migration in the Third World" (The Hague:

Institute of Social Studies, 1990). Schmeidl, 1995. Susanne
Schmeidl, "Comparative Trends in Forced Displacement: IDPs
and Refugees, 1964-1996." *Internally Displaced People: A Global
Survey* (London: Earthscan Publications, 1998). Schmeidl and
Jenkins, 1998.

xx   Clark, 1989.

xxi   Barbara Harff, "Early Warning of Humanitarian Crisis:
      Sequential Models and the Role of Accelerators." *Preventive
      Measures: Building Risk Assessment and Crisis Early Warning
      Systems* (Lanham, MD: Rowman & Littlefield, 1992). Ahmed
      Adeel and Elisabeth Voulieris Kassinis, "The Humanitarian
      Early Warning System: From Concept to Practice." *Preventive
      Measures: Building Risk Assessment and Crises Early Warning
      Systems* (Lanham, MD: Rowman & Littlefield, 1998).

xxii In the latter case, it might be beneficial to provide an overview
      of existing peace initiatives (internal, regional, and interna-
      tional) and assess the feasibility of these initiatives and their
      chance for success or failure, also listing and assessing other
      major initiatives and policies (multilateral, bilateral, track 1,2,3
      diplomacy, civil society, aid community etc.).

xxiii Schmid compiled one of the more comprehensive indicator
      lists. Schmid, 1998.

xxiv Barnett R. Rubin, *Unfinished manuscript on preventive efforts*
      (New York: The Century Foundation and the Council on
      Foreign Relations, 2001). Stephen John Stedman, "Spoiler
      Problems in Peace Processes." *International Security*, 22 (1997):
      2-53. Stephen John Stedman, "Conflict Prevention as Strategic
      Interaction: The Spoiler Problem and the Case of Rwanda."
      Preventing Violent Conflicts: Past Record and Future
      Challenges, Report 48 (Uppsala: Department of Peace and
      Conflict Research, Uppsala University, 1998).

xxv   Charles J. Jefferson, "Information Sharing and Early Warning."
      *Preventive Measures: Building Risk Assessment and Crisis early
      Warning Systems* (Lanham, MD: Rowman & Littlfield, 1998):
      244.

xxvi Rusu, 1997, 254.

xxvii Ted Robert Gurr and Will H. Moore, "Ethnopolitical Rebellion:
      A Cross-Sectional Analysis of the 1980s with Risk Assessments
      for the 1990s." *American Journal of Political Science* 41, 4 (1997):
      1079-1103. Susanne Schmeidl and J. Craig Jenkins, "The Early
      Warning of Humanitarian Disasters: Problems in Building an
      Early Warning System." *International Migration Review* 32:2
      (1998): 471-487. Schmeidl, 2001.

xxviii Schmeidl and Jenkins, 1998:477.

xxix *Politicide* is a term used in cases where political orientation is

the predominant reason for singling out populations for mass extermination. See Barbara Harff, "A Theoretical Model of Genocides and Politicides." *The Journal of Ethno-Development* 4:1 (1994): 25-32.

xxx Helen Fein, *Genocide: A Sociological Perspective* (London: Sage Publications, 1993). Helen Fein, "Tools of Alarms: Uses of Models and Explanations and Anticipation." *The Journal of Ethno-Development* (1994):31-36. Barbara Harff "Early Warning of Potential Genocide: The Cases of Rwanda, Burundi, Bosnia and Abkhazia." *Early Warning of Communal Conflicts and Genocide: Linking Empirical Research to International Responses* (Tokyo: United Nations University Press, 1996). Ted Robert Gurr, *Minorities at Risk: A Global View of Ethnopolitical Conflict* (Washington, D.C.: United States Institute of Peace Press, 1993). J. David Singer, *Correlates of War Project: Data Files* (Ann Arbor: University of Michigan Press, 1993). Peter Wallensteen and Margareta Sollenberg, "After the Cold War: Emerging Patterns of Armed Conflict, 1989-94." *States in Armed Conflict 1994.* Report 39 (Uppsala: Department of Peace and Conflict Research: Uppsala University, 1995). Günther Bächler *et al.*, *Kriegsursache Umweltzerstörung: Oekologische Konflikte in der Dritten Welt und Wege ihrer friedlichen Bearbeitung* (Chur/Zürich: Verlag Rügge, 1996). Thomas Homer-Dixon, "Environmental Scarcity and Violent Conflict: Evidence from Cases." *International Security* 19:1 (1994): 5-40. Thomas Homer-Dixon, *Strategies for Studying Causation in Complex Ecological Political Systems. Report* (Toronto: University College, University of Toronto, 1995).

xxxi Michael S. Lund, *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy* (Washington, D.C.: U.S. Institute of Peace, 2000).

xxxii Dipak K. Gupta, " An Early Warning About Forecasts: Oracle to Academics: Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-Cold War World." Synergy in Early Warning Conference Proceedings (York: York Center for International and Security Studies, York University, 1997): 375.

xxxiii Albert J. Jongman, "Mapping Dimensions of Contemporary Conflicts and Human Rights Violations." Back of the PIOOM 2000 World Conflict and Human Rights Map (Leiden: University of Leiden, PIOOM, 2000).

xxxiv The elements presented below have been fine-tuned by the FAST project of the Swiss Peace Foundation. FAST stands for the *Frühanalyse von Spannungen und Tatsachenermittlung* or Early Warning of Tension and Fact Finding.

xxxv Adelman and Suhrke, 1996.

xxxvi Schmeidl and Adelman, 1988.

xxxvii This is what UN Secretary General Kofi Annan calls a culture of prevention, and he states in the executive summary of the *UN Millennium Report* that "the best way to prevent them [conflicts] is to promote healthy and balanced economic development, combine with human rights, minority rights, and political arrangements in which all groups are fairly represented." See Kofi Annan, *"We the Peoples of the United Nations in the 21st Century." UN Millenium Report* (New York: United Nations, 2001).

xxxviii Realistically speaking, preventive medicine never put curative medicine out of business. There will always be sick people, as there will always be armed conflict and humanitarian disasters. The goal then is to avoid the avoidable and focus on those areas that can be prevented.

xxxix Michael S. Lund, "Early Warning and Preventive Diplomacy." *Managing Global Chaos: Sources of and Responses to International Conflict* (Washington, D.C.: U.S. Institute of Peace, 1996): 392.

xl   Lund, 1996:393.

xli   This can bee seen most prominently in the United States, Canada, Germany, Switzerland, the UK, and Sweden.

xlii Michael S. Lund, "Preventive Diplomacy for Macedonia, 1992-1999: From Containment to National Building." *Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-Cold War World* (Lanham, MD: Rowman & Littlefield, (for the Carnegie Commission on Preventing Deadly Conflict), 2000):208.

xliii This section draws heavily on Susanne Schmeidl (with Eugenia Piza-Lopez) Gender And Conflict Early Warning: A Preliminary Framework Draft working document, Swiss Peace Foundation, and International Alert, 2001.

xliv Jentleson, 2000:319.

CHAPTER 4

REGIONAL EARLY WARNING AND CONFLICT MANAGEMENT MECHANISMS

CIRÛ MWAÛRA

Over the years, responsibility for peace and security has become increasingly devolved to regional and sub-regional organizations that now share the UN collective-security mandate. Former UN Secretary General Boutros Boutros-Ghali's *Agenda for Peace* notes that: "regional arrangements or agencies in many cases possess a potential that should be utilized in serving the functions [of] preventive diplomacy, peace-keeping, peacemaking, and post-conflict peacebuilding."[1] Focusing on the UN role in Africa, UN Secretary General Kofi Annan's *Report on Peace and Security in Africa* adopts the same position, stating that "broader international efforts [in peacebuilding] can succeed only if there is genuine cooperation and support of such measures by the sub-region."[ii]

The rationale behind this shift has been a combination of the desire to see more African-led initiatives increasingly presumed to be more appropriate in terms of (1) proximity to events and (2) an implied greater understanding of issues within sub-regions, coupled with slightly more pragmatic reasons. The latter have centered on efforts to devolve the risks of intervention that have proved costly in many cases of foreign intervention missions (for example, Somalia). This declining interest by foreign powers in intervening in African conflicts has

forced African states and institutions to devise regional solutions to crises.

The prioritization of peace and security within the various sub-regional institutional frameworks is probably a key trend in international affairs of the past few years.[iii] The pursuit of regional socio-economic development strategies is now intrinsically linked to the peace-and-security agenda. This is well illustrated by K.Y Amoako, in his address to the seventieth Ordinary Session of the OAU Council of Ministers. [iv] Amoako points to the inherent futility of poverty reduction and economic growth program without addressing the immediate challenges of ending ongoing conflicts, preventing new ones, securing sustainable peace, and engaging in post-conflict reconstruction.

Common security is then the prerequisite for any attempts to secure sustainable development. The pursuit of this goal under regional auspices results largely from the recognition that conflicts have a sub-regional dimension, whether they are caused by spillover conflict from neighboring countries or due to the impact of increased refugee and arms flows.[v]

The assumption is that geographical proximity immediately positions one to better understand and engage in the dynamics of conflict. Yet there has been relatively little analysis of the nature of institutional relationships between these regional bodies and the varied local contexts in which various conflicts arise. By their very nature, institutions are extremely complex and bureaucratic; the intergovernmental nature of these institutions (coordination between member states, local governments, etc.) makes them even more impenetrable. The role(s) and relationship(s) of these institutions within their particular geographical contexts are yet to be fully understood. It is necessary to dwell on this point, given that this regional approach is emerging as the accepted framework within which to manage or prevent conflict in Africa.

The regional approach to peace and security is very much a work in progress. To date, as one close observer of the African scene noted, "African structures and mechanisms for conflict prevention and resolution have been marked by a stress on formal intergovernmental structures with formal com-

mitments."[vi] Questions relating to external institutional linkages between sub-regional organizations, the OAU, and from there the UN remain unanswered and still to be defined. Internally, questions relate to the extent of interaction and cooperation between sub-regional organizations and complementary networks and resources to be found within civil society. What is the scope and degree of involvement and collaborative action by civil society organizations in the regional peace and security agenda?

It is important to understand this emerging regional approach in order to determine the effectiveness of regional early warning and early response systems. Evaluations of a number of violent crises (the Rwanda genocide[vii] and subsequent destabilization of the Great Lakes region as well as protracted conflicts in Liberia, Sierra Leone, Angola, Sudan, and Somalia) emphasized the need to develop early warning systems. Following from this, within the framework of their peace and security mandates, most sub-regional organizations have identified development of early warning and early response mechanisms as a priority.[viii]

What are the challenges of undertaking early warning and early response in an intergovernmental configuration? Strengthening the human and institutional capacity of the sub-regional institution and various state and non-state sectors at member state levels is an integral part of promoting cooperation around the IGAD conflict prevention mandate. Efforts at capacity building in the early warning and conflict management sphere must start locally by building up and reinforcing nascent in-state early warning and conflict management units.

As mentioned in the Introduction (see also chapter 7), the CEWARN project must be situated in the context of initiatives in other regional and sub-regional early warning organizations. In the next section I outline the principles and decision-making structures governing peace and security mechanisms of the OAU, Economic Community of West African States (ECOWAS), and Southern Africa Development Community (SADC).

THE ORGANIZATION FOR AFRICAN UNITY (OAU)

The evolution of OAU conflict resolution from an informal system, employing individual heads of state or eminent persons as well as *ad hoc* committees to resolve conflicts, to a more formal mechanism was marked by a 1992 report of the OAU Secretary General on Conflicts in Africa.[ix] The report outlined proposals for an OAU mechanism for conflict prevention, management, and resolution ("the Mechanism"). A detailed study of the institutional, operational, and financing details of such a mechanism was undertaken in 1993. The study was presented that year to the OAU Council of Ministers and Assembly of Heads of State in Cairo, resulting in adoption of what has come to be known as the Cairo Declaration.[x]

The highest decision-making authority of "the Mechanism" is the Central Organ with the Secretary General and the Secretariat, specifically the Conflict Management Center (CMC), as its operational arm. The Central Organ is comprised of state members of the Bureau of the Assembly of Heads of State and Government. Deliberations are held at three levels: heads of state and government (once a year), ministerial (twice a year), and ambassadors (monthly). Development of an early warning system is regarded as an integral part of the mechanism's operations: "The OAU Mechanism," its drafters noted, "was put into place primarily to provide a framework for the anticipation and prevention of conflicts in Africa."[xi]

The OAU's interest is in developing a mechanism that provides discernible warning signals and anticipates the onset of conflict. To date, the OAU's efforts in developing an early warning system have focused on:

- Developing consensus on the conceptual basis of early warning
- Developing a set of indicators and an early warning model
- Developing an Integrated Information Support System
- Establishing connectivity with African embassies in

Addis Ababa to enhance information exchange

The OAU's CMC has been involved in the early warn-
ing field for the past six years, during which severe operational
limitations in fulfilling its early warning mandate have emerged.
To date, despite all efforts, no system is in place. Given the
inclination of many regimes in the region to restrict public
access to an inordinately broad range of information, it is not
surprising that OAU progress in establishing an early warning
system has been extremely slow.

The OAU's efforts to establish itself as the focal point for
an early warning network in Africa have been further compli-
cated by the organization's commitment to non-interference in
the internal affairs of other states, as contained in the OAU
Charter. This does not augur well for early warning systems and
prevention of conflict on the continent.[xii] It is worth noting that
the principle has proved malleable, as illustrated by the fact that
the OAU is now invited by governments to monitor elections
as a matter of course.[xiii] Nonetheless, many countries and
analysts still doubt the extent to which the OAU can intervene
and effectively coordinate operations.[xiv]

The politics of early warning emerged quite vividly dur-
ing interviews carried out in the assessment phase of Year 1.[xv]
Early warning was equated, in the OAU, with a predictive exer-
cise rather than an anticipatory one. There was strong belief that
the organization would lose all credibility if a prediction proved
incorrect. As we can see, the nature of the OAU as an inter-
governmental organization casts some doubts on whether a reli-
able system could in fact develop, given the sensitivity of states
to external monitoring. This point is not unique to the OAU but
has undermined early warning initiatives by similar organiza-
tions (for example, the UN).

It is still unclear what institutional arrangements for
conflict prevention, management, and resolution will emerge
with the advent of the African Union. This discussion is there-
fore based on institutional structures that have been in place
since the Cairo Declaration. An illustration of the decision-mak-
ing structure that governs the OAU early warning system is
presented in Table 4:

Table 4. OAU: Mechanism for Conflict Prevention, Management, and Resolution
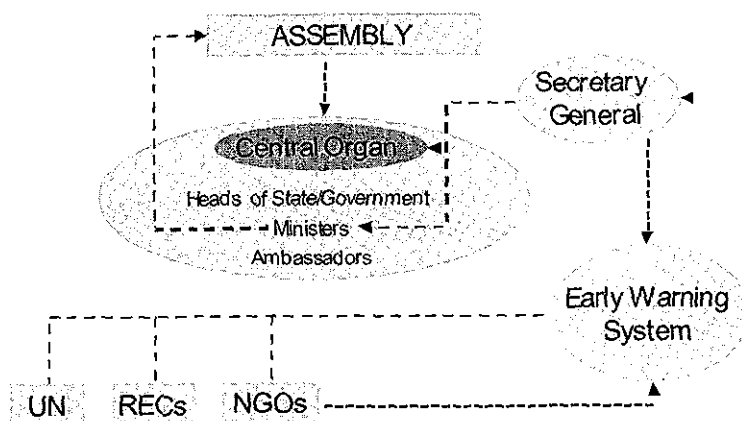
As we can see from the illustration, the decision-making structure involves a mandatory[xvi] flow of information from the early warning unit (responsible for in-house analysis and production of early warning reports) to the Secretary General, who may decide to share the analysis with the Central Organ (discretionary flow). Decision-making authority therefore rests with a limited section: the Secretary General and, in some instances, the Central Organ.[xvii]

While civil society, the UN, and regional economic communities (RECs) may serve as sources of some information and analysis that goes into the system, it is not clear what level of access, if any, they have to the CMC's in-house analysis. The importance of cooperation with civil society in areas of information collection, analysis, and response is understood within the CMC as a critical element of conflict prevention. However, no mechanisms are provided to involve civil society as a decision-maker in formal structures of the OAU mechanism. It remains to be seen what structures the African Union will offer for civil society participation in peace and security matters.

ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)

The revised Treaty of ECOWAS was signed July 24, 1993. The community is made up of the sixteen West African states of Benin, Burkina Faso, Cape Verde, the Gambia, Ghana, Guinea, Guinea-Bissau, the Ivory Coast, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo. All 16 states form the Authority of Heads of State and Government ('the Authority'),[xviii] which constitutes the highest decision-making body within ECOWAS. The heads of state signed a protocol establishing a Mechanism for Conflict Prevention, Management, Resolution and Peacekeeping and Security (the Mechanism) on December 10, 1999 in Lome, Togo.

It should be noted that the ECOWAS mechanism has not been fully implemented. My description is thus limited to the theoretical framework as contained in the protocol. Despite this, the mechanism provides the most detailed sub-regional framework for conflict management on the continent and provides a very concrete decision-making structure for the organization's activities. This is perhaps linked to ECOWAS' military intervention in two major crises: Liberia and Sierra Leone. ECOWAS therefore had the benefit of practical experience to influence design of the decision-making structure governing its mechanism.

Decision-making and implementing provisions relating to the mechanism are delegated to the Mediation and Security Council (MSC). The MSC consists of nine member states.[xix] The Council serves for a two-year renewable term and meets twice a year. Deliberations are held at three levels: heads of state and government, ministerial, and ambassadorial levels.

The functions of the MSC, contained in Article 10 of the ECOWAS protocol, are outlined below:

- Decide on all matters relating to peace and security
- Decide and implement all policies for conflict prevention, management, resolution, peacekeeping, and security

- Authorize all forms of intervention and decide particularly on deployment of political and military missions
- Approve mandates and terms of reference for such missions
- Review mandates and terms of reference periodically on the basis of evolving situations
- Appoint, on the recommendation of the executive secretary, the special representative of the executive secretary and the force commander

Deliberations in the MSC are held at three levels:

- Heads of state and government: meet at least twice a year in ordinary sessions. Extraordinary sessions may be convened by the chairman when the need arises.
- Ministerial: foreign affairs, defense, internal affairs, and security: meet at least once every three months to review the general political and security situation in the sub-region and also when the need arises.
- Ambassadorial: meet monthly to review issues relating to sub-regional peace and security and also when the need arises.

The supporting organs of the mechanism's institutions include the Defense and Security Commission (DSC). It is made up of the chiefs of defense staff, officers responsible for internal affairs and security, experts of the ministries of foreign affairs, heads of the immigration, customs, drug/narcotic agencies. Border guards and civil protection force services may also be invited.

The DSC assists the MSC to

- formulate the peacekeeping force's mandate;
- define the force's terms of reference;
- appoint the force commander; and
- determine the composition of contingents.

The second supporting organ is the Council of Elders, a list of eminent persons who can use their good offices and experience on behalf of ECOWAS to act as mediators, conciliators, and facilitators. When the need arises, the executive secretary assembles individuals from the list and they thereafter constitute the Council. The composition and mandate of the Council is defined by the executive secretary.[xx] Finally, the ECOWAS Ceasefire Monitoring Group (ECOMOG) is the structure that deals with peacekeeping, enforcement of sanctions, humanitarian intervention, disarmament, and demobilization.

The ECOWAS Early Warning System

The ECOWAS early warning system is known as the Sub-Regional Peace and Security Observation System (SROMS) and was established to prevent conflict under Chapter V of the Protocol. The system is not yet operational, but its structure has already been designed. The basic structure envisions an Observation Monitoring Center (OMC) located at the ECOWAS secretariat in Abuja, Nigeria, with geographical coverage of four zones known as Observation and Monitoring Zones (OMZ). Each zone is covered by a zonal headquarters and is shown below:

Zone 1:   Cape Verde, the Gambia, Guinea- Bissau,
            Mauritania, and Senegal
            Zonal Headquarters: Banjul, the Gambia
Zone 2:   Burkina Faso, Ivory Coast, Mali, and Niger
            Zonal Headquarters: Ouagadougou, Burkina Faso.
Zone 3:   Ghana, Guinea, Liberia, and Sierra Leone
            Zonal Headquarters: Monrovia, Liberia
Zone 4:   Benin, Nigeria, and Togo
            Zonal Headquarters: Cotonou, Benin

The zoning is flexible and may be altered if necessary by "The Authority." An illustration of the ECOWAS early warning and response structure is presented in Table 5:

Table 5. ECOWAS: Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping, and Security
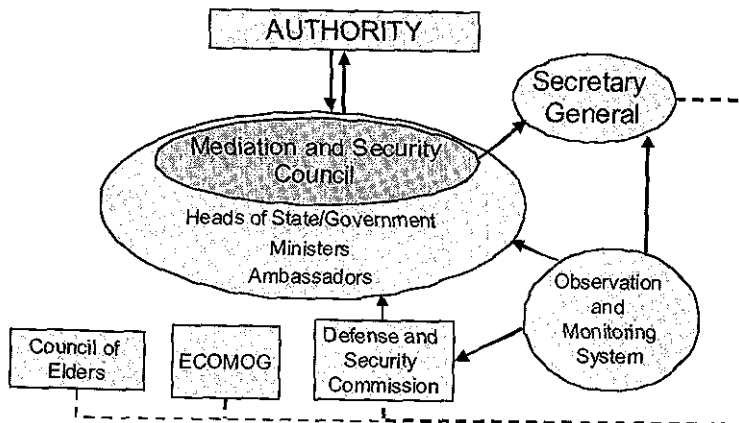
The DSC is the most immediate end-user of the early warning reports produced by the SROMS. The DSC meets every three months and examines reports from the OMCs, making recommendations to the MSC, which then decides what action to take.

Given the military orientation of ECOWAS's conflict prevention activities, its early warning system is likely to fall within the "hard" early warning category discussed in chapter 7, since decision-making is restricted to defense and security personnel. Civil society functions largely as a source of information and is not formally incorporated into the ECOWAS decision-making framework.

SOUTHERN AFRICA DEVELOPMENT COMMUNITY (SADC)

SADC is made up of fourteen member states: Angola, Botswana, Democratic Republic of Congo (DRC), Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe. While economic integration was the primary aim of the newly constituted SADC, peace and security featured in the treaty establishing SADC, which cited these two goals as "critical components of the total environment for regional cooperation and integration."[xxi] Aside from these general provisions outlining the organization's commitment to peace and security, the SADC treaty does not present any detailed institutional arrangement for its peace and security mechanism.[xxii]

The SADC started to develop mechanisms for its peace and security mandate in 1994. The Organ for Politics, Defense, and Security was proposed in May 1996 and accepted as the official body for issues relating to peace and security in the region. The Organ and its relationship with the SADC as a whole is rather unusual. The Organ is set up as a largely autonomous and independent entity and operates at the summit level (heads of state and government). Disagreements regarding the status of the Organ soon emerged. With the debate split between an autonomous arrangement that would provide the Organ as a parallel structure (with a separate chair to SADC), and South Africa spearheaded the argument that the Organ should fall under the wider SADC framework, while Zimbabwe argued for autonomy from the SADC structure.

A compromise was negotiated when three member states were mandated to discuss the institutional arrangements for peace and security in SADC. The proposal that emerged was as follows: The Organ would be made up of a committee made up of five member states with a mandate to intervene in all conflicts in the region. The Inter-State Defense and Security Committee (ISDSC) structure would support this committee.

The ISDSC is a regional grouping that preceded SADC and deals with individual and collective defense security issues

in the sub-region. The organization was established in 1975 as a forum for sharing and coordinating defense and security strategies. It should be noted that the ISDSC existed as an informal body with no formal charter or governing text. Deliberations on security issues took place in an *ad hoc* manner.

The ISDSC is made up of ministers of defense, home affairs, and security, and may call upon the ministries of foreign affairs in certain instances. Aside from a basic decision-making structure made up of the summit of heads of state or government, the Ministerial Council and a standing committee of officials, a more detailed structure has not emerged. With regard to the Organ's relationship to the SADC summit, the latter would have the authority to modify Organ decisions. The Organ would meet on an *ad hoc* basis with the following objectives:[xxiii]

- To safeguard the region against instability from within or outside its borders
- To promote political cooperation and common political values and institutions (this commits SADC to promoting democracy and observing human rights)
- To develop a common foreign policy and a joint international lobby on issues of common interest (the SADC Treaty itself commits the organization to "promote the coordination and harmonization of the international relations of Member States")
- Security and defense cooperation through conflict prevention, management, and resolution
- Mediation of disputes and conflicts
- Preventive diplomacy and mechanisms, with punitive measures as a last resort (in other words, the possibility of enforcement actions is explicitly recognized as a last resort)
- Sustainable peace and security through peacemaking and peacekeeping (this and the preceding objectives effectively place the Organ in line with the UN Charter)
- To develop of a collective security capacity, a mutual defense pact, and a regional peacekeeping capacity

(an unprecedented and, in fact, unrealistic goal for the foreseeable future)

- Coordination of its members' participation in international and regional peacekeeping operations (opening the door to an arrangement similar to the Nordic division of labor in peacekeeping)
- Addressing extra-regional conflicts, which impact on peace and security in southern Africa (confirming that SADC does not have an inward orientation but acknowledges the realities of its position in the region)

An illustration of the proposed structure of the Organ is presented in Table 6:

Table 6.   SADC: Organ on Politics Defense and Security
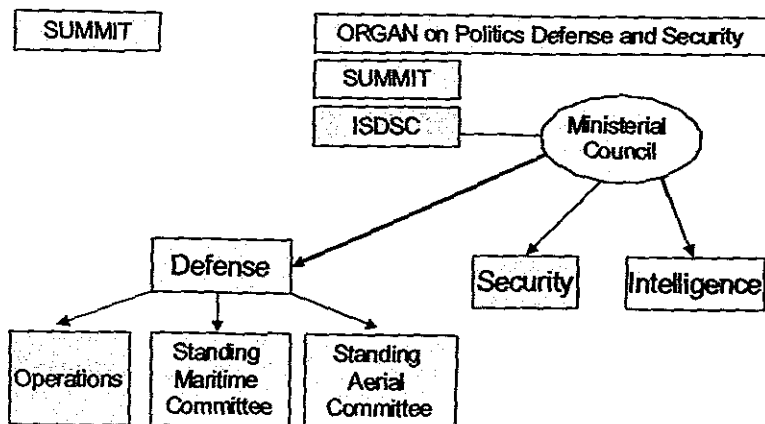
While the many ISDSC committees provide the Organ with some structure, it is mainly comprised of defense and intelligence departments. As in the OAU and ECOWAS models, we find no formal channels for civil society participation in matters relating to peace and security. Critics have observed that "the attitude of most governments (with the exception of South

Africa in most cases) towards the involvement of any non-governmental actors – either NGOs, research organizations, or academics – is literally hostile."[xxiv] Associated with this is the question of establishing an early warning system for conflict prevention within the ISDSC. Given the ISDSC composition, it is likely that this area of activity will remain within the domain of the intelligence communities. Should any system be developed, it is likely to be a *hard* early warning system (see chapter 7).

CONCLUSION

It is clear that the regional mechanisms described so far fall within the concepts of early warning that focus on alerting a *recognized authority* to the threat of a new (or renewed) armed conflict at a sufficiently early stage that the authority can attempt to take "preventive action."[xxv] The term *recognized authority* is not exclusive in itself. Yet its scope has been limited in application, as we can see the idea of *recognized authority* translates into formal bodies such as the OAU, ECOWAS, and SADC. The term *decision-makers* is confined to intergovernmental actors. The systems described earlier, are largely formal, top-down systems that fall into the *hard* early warning category. Failure to recognize local, traditional systems of authority and decision-making processes as critical components severely circumscribes early warning activities. As we shall see in chapter 7, IGAD's CEWARN attempts to move toward a more inclusive concept of early warning and response that embraces all critical actors in the process of decision-making (see chapter 3).

NOTES

i   Boutrous Boutrous-Ghali, *An Agenda for Peace: Preventive Diplomacy, Peacemaking, and Peace-keeping* (New York: United Nations, 1992): paragraph 64.

ii   Kofi Annan, "Report on Peace and Security in Africa." *The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa,"* Report of the Secretary-

General (New York, United Nations, 1998): Paragraph 21.

iii   Regional institutions are not new in themselves and date back to the post-independence period. In recent years they have begun to play a more prominent role in the African context.

iv   UN Under-Secretary General and Executive Secretary of the Economic Commission for Africa. *Economic Causes and Consequences of Civil Wars and Unrest in Africa,* (Algiers, Algeria, OAU Summit, July 8, 1999).

v   This happened with the Liberian conflict that impacted on Sierra Leone and Guinea.

vi   Alex de Waal, ed., "Structures for Regional Peace and Security." *Who Fights? Who Cares? War and Humanitarian Action in Africa* (New Jersey: Africa World Press, 2000).

vii   See Howard Adelman and Astri Suhrke, "Early Warning and Conflict Management." *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience,* Part 2 (Copenhagen: DANIDA, 1996).

viii   There are other regional peace and security mechanisms in Africa (ECCAS—Economic Community of Central African States; COMESA; EAC—the East African Community) but this chapter restricts itself to discussing the three mentioned in the text.

ix   Salim Ahmed Salim, *Conflicts in Africa: Proposals for an OAU Mechanism for Conflict Prevention, Management, and Resolution.* Report of the OAU Secretary General (Dakar, Senegal, 1992).

x   *Declaration of the Assembly of the Heads of State and Government on the Establishment within the OAU of a Mechanism for Conflict Prevention, Management, and Resolution* (Cairo, Egypt, June 28-30, 1993).

xi   See The OAU Mechanism for Conflict Prevention, Management, and Resolution, The OAU Early Warning System. *Declaration of the Assembly of the Heads of State and Government on the Establishment within the OAU of a Mechanism for Conflict Prevention, Management, and Resolution* (Cairo, Egypt, 28-30 June 1993).

xii   William Godwin Nhara. *Early Warning and Conflict in Africa.* ISS, Occasional Paper No. 35 (Pretoria: ISS, 1998).

xiii   Interview with Adwoa Coleman, head, Early Warning Unit, OAU, August 2001.

xiv   Jackie Cilliers. *The SADC Organ for Defence, Politics, and Security.* ISS, Occasional Paper 10 (Pretoria: ISS, 1996).

xv   Interview with Sam Ibok (former Head, Conflict Management Center, OAU) and Dr. John Tesha (former Head, Early Warning Unit, OAU), April 28, 2000.

xvi   As illustrated by the unbroken line

xvii Part of the CMC
xviii See ECOWAS, *Protocol for Conflict Prevention, Management,*
      Resolution, Peacekeeping and Security (Lome, Togo, 1999): Article
      7:4.
xix   The Authority elects seven of these, and the remaining two seats
      are held by the Authority's current chairman and immediate
      past chairman.
xx   The Executive Secretary reports to the MSC on activities carried
      out by the Council.
xxi   *Towards the Southern African Development Community,* a declara-
      tion by the heads of state and government of Southern African
      states, August 17, 1992.
xxii Article 22 SADC provides for further protocols to be developed
      to deal with such issues.
xxiii Cilliers, 1996.
xxiv Cilliers, 1996.
xxv   Walter A. Dorn. "Early (and Late) Warning by the UN Secretary
      General: Article 99 Revisited." Synergy in Early Warning.
      Conference Proceedings (Toronto, Centre for International
      Security Studies, 1997):159-81.

CHAPTER 5

BUILDING CEWARN AROUND INTRA-STATE CONFLICT MANAGEMENT: THEORY AND PRACTICE

HOWARD ADELMAN

INTRODUCTION

There are four kinds of intervention, classified by the type of actor that can be used to intervene and help manage a conflict. They are:

- International actors in the form of international bodies and/or major powers
- Regional bodies, such as IGAD's role in Sudan
- Neighboring states
- Civil society actors

Somalia is not only an example of a failed state;[i] it is also an example of a failed effort of international actors intervening in an intra-state war. That failure has been extensively analyzed elsewhere. This chapter might be expected to focus on the role of the second type of intervening actor, a regional actor such as IGAD, in the Sudan peace process as this is one of the first instances in the Horn of Africa of a regional body involving itself in an internal conflict. However, that initiative

focused primarily on the two main coercive forces in contention – the government of Sudan resisting secession and the Sudanese People's Liberation Army (SPLA) determined on precisely that course. Further, although extensive efforts have been made to use a people-to-people approach, insufficient progress has been made to this date. Instead, this chapter focuses on the third option listed above, the role of a neighboring state, because that state, Djibouti, used civil society actors who have other strengths than their control of guns. At the same time, Djibouti was determined to reinforce the resurrection of the Somalia state while using the regional organization to provide legitimacy. An analysis of the example provided a model of how IGAD as a regional organization could provide much more than legitimacy. It also explains in part why the FEWER team did not focus on managing intra-state peace processes as the entry point in the development of CEWARN, as it is premature.

REGIONAL ORGANIZATIONS

In politics, regions are often considered as sub-divisions of the globe. Sub-regions then become a lower unit of a region. Thus, in political terms, Africa is seen as a region of the world polity that is made up of different and sometimes overlapping sub-regions. Each region and sub-region has a corresponding organization. The OAU represents all of Africa, while there are different organizations for each of the sub-regions (such as ECOWAS in sub-Saharan western Africa, SADC in southern Africa, and IGAD for the Horn of Africa). With respect to the latter, this is a top-down approach in at least three senses – historically, geographically, and politically. The OAU is an older organization than those of the sub-regions. IGAD emerged later. Note that when the region south of the Sahara Desert is referred to as sub-Saharan Africa, we know that the map is being drawn from a northern hemispheric point of view (that below the largest desert in the world is seen as "sub," or below). The Horn is viewed as a sub-region and sub-division of Africa politically as well as geographically and tem-

porally. Literally and figuratively, this is a top-down approach.

This chapter takes a bottom-up approach to regions.[ii] Regional associations are a stage in a historical shift that vests some aspects of sovereignty in a political entity geographically broader than the state. In this chapter, the Horn will be considered primarily as a region comprising seven countries – Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, and Uganda – and not as a sub-region of Africa. In this region, efforts are underway to transfer certain responsibilities, however minimally at first, to a regional body. Although IGAD began as an organization focused on desertification and drought control and evolved into an organization concerned with economic issues, it has begun to assume some responsibilities for establishing a community of peace in the region (see preface).[iii] I will take political regions to be simply constellations of adjacent political states that find it opportune to combine efforts to deal with common geographical and environmental issues, synergistic economic interests, and, most importantly, overlapping security problems.

IGAD and its member states are in a position to develop forums for civil society, community-based organizations, and relevant NGOs to participate in promoting peace, good governance, and regional economic co-operation.[iv] This is not only because a regional organization is in a position to perform functions that the states themselves have extreme difficulty in tackling. The states in this region are afflicted with local wars that cross borders, with clan/religious/ethnic violent conflicts that have in some cases become decade-long civil wars; two states were even involved in an inter-state war recently (see chapters 1 and 2).[v] As Atallah Hamad Bashir, Executive Secretary of IGAD, noted in the preface, a peacemaking role for IGAD is necessary as well as opportune. For without peace and security in the region, efforts at economic improvement are not only handicapped, they are usually nullified. Hence this chapter will not ask whether a regional organization should perform such a task, but how it can best proceed.

CIVIL SOCIETY, THE STATE, AND GLOBALIZATION

States generally intervene in each other's affairs only to prevent any instability in an adjoining state spilling over borders to destabilize their own state. The foundations for both non-intervention and intervention were laid with the creation of the state system. Disobey the minimal rules of the "club" and reprisals could be expected, including at the very extreme, intervention. Thus, the club used the 1815 Congress of Vienna as an opportunity to repress violent (and, too often, non-violent) revolutionary activities.[vi] Some 100 years later, at the end of World War I, the 1919 Treaty of Versailles justified intervention to protect the rights of national minorities within states, in part to prevent the outflow of refugees that could destabilize neighboring states. Finally, the 1933 Montevideo Convention formalized the legal criteria for attaining sovereign statehood – land (existence of a defined territory), people (a permanent population there), and an effective government for the state that could demonstrate its ability to enforce its authority over the territory and its people. Under the convention states could exercise exclusive control over their own domestic affairs and had the right to take ultimate decisions and actions concerning the lives of the citizens within the territorial boundaries of the state. A state could act without interference from other states, always subject to the very important qualifier that a member of the club of states must be willing to abide by the club rules and not act in a way that would undermine its neighbors' security. What are the core elements of this state system? There are three. At the base is property, the presumption that each person owns his or her own body and is entitled to ownership of the goods produced by that body, goods which can be sold and exchanged. Through offering inducements and rewards even more than financial penalties, ownership of property becomes a basis for influencing what others do. The second element is the rule of law, positive contract law based on property.[vii] In contrast to hierarchical moral law, the rule of law arrived at by a contract among individuals rather than rule of them was to be the ultimate source of authority. Finally, the state is the repository of a monopoly on coercive force.

In opposition to the state system and (partly as a by-product of migration, disorder, and globalization) there have been various efforts to create a system based on moral order. [viii] Efforts to turn the state itself into a moral regime have come from tradition and the right, as in present day Iran and Afghanistan (and, to a much more limited extent by religious fundamentalist Republicans in the United States Congress and White House). From the left and those with dreams of a utopian future has come an effort by cosmopolitans to create world government. These efforts have received a boost from recognition that the globalization process has weakened the ability of states to ensure protection of their citizens' security and economic well-being. Past and present efforts have sought to combine this morality with state-based power on a regional and local level. Warlords and "warlordism," individuals who seek to monopolize the state's coercive forces, legal authority, and access to material wealth have hampered this. [ix]

The modern globalization trend has internationalized the economy of states and undermined the traditional patrimonial feudal polity. [x] An agriculturally based society has been transformed into an urban one. In contrast to one billion people living overwhelmingly in rural areas at the beginning of the twentieth century, we now find six billion living largely in urban areas at the beginning of the twenty-first century. In these industrialized economies, national debts are largely foreign debts, undermining the autonomy of the state. Thus state economic and fiscal policies force states further into an international trading system in which global forces set interest rates more than domestic forces do. [xi] States are less and less able to control trade and monetary policy. As the market expands, the state becomes weaker as the primary political unit. [xii] These processes make the national economies volatile, as states are subjected to whims of the market because of the high proportion of debt held by foreigners. This is particularly true of Third World commodity-exporting states (as in the Horn of Africa); the forces of globalization exacerbate problems of nation-state consolidation in developing situations [xiii] just when assistance from developed states is on the decline. [xiv]

Radical changes in transportation and communication have accelerated this process. At the same time, states have limited power in counteracting the street politics of transnational pressure groups, particularly in the arena of environmental challenges that defy national solutions.[xv] Enormous refugee movements have been one result of this internationalized economy neo-liberalism reinforces the push for greater and greater integration within a global economy.[xvi] The sense of self-government and political self-determination is undermined.[xvii]

As a result of these and other changes, many claim that the state is an obsolete institution.[xviii] Nowhere is the argument pushed harder than by those who want to create a new international moral order and a system of global governance in the face of the incongruity between territorial organization of political authority, forces of globalization, and sub-territorial and trans-territorial mobilization of social forces.[xix] As globalization weakens the nation-state, moral and legal cosmopolitans are at work to bring about the resurrection of a new international source of authority higher than the nation-state to allow moral or legal criteria to be imposed on heinous crimes and as part of the progress towards a world civilization.[xx] These moral reformist formulations and dreams of grotians (those who believe in the primacy of international law in dealing with state-to-state and state to non-member disputes and conflicts) and other idealists aim at global governance and creation of a legal authority higher than the nation-state. In contrast, to those who believe in a supervening moral criterion or those who support a super-state legal authority, there are those who claim all legal authority in the international arena is simply a by-product of inter-state agreements and state. This is the basic premise of the modern Westphalian nation-state system. But even for Westphalians, if internal conflicts within that state are deemed by other states to threaten the state system itself or security and peace in relations between states, the threshold for intervention into a state's autonomy is minimal.

Offsetting the political, legal, and economic forces for

globalization that contend with the basic elements of the Westphalian state system are three other factors that complement and work in dialectical interaction with the state system rooted in property, the rule of law, and the state as the sole instrument of coercion.[xxi] The first is civil society rooted in voluntary groups and families that work to help one another and serve as a source of inspiration and moral influence. Civil society also includes business organizations, and academic institutions, even if the latter are funded by the state. Scholarship, science, and reason characterize what is best in these academic institutions. In addition to their academic pursuits they are used to provide a different source of influence, that of expertise, to promote growth of wealth, expand the rule of law, and minimize and define use of coercive force.

As a complement to the state and its political institutions, ethnic groups and nations within the state maintain a heritage of customs and traditions. Traditions reinforce and enhance moral behavior, and serve as a source of creative group energy, as the best of traditions are used to develop a sense of a people. In some instances these forces are the source of irrationality combining with forces of globalization to undermine the state.[xxii] In contrast these are complementary creative factors that work in interaction with basic elements of a state system. Both streams should blend to form the basis for greater regional cooperation in a context of globalizing forces.[xxiii] These factors are represented in Table 7:

Table 7. Force, Authority, and Influence

The State	The Nation and Civil Society
Coercive force – monopoly held by the state	Creative force of a people
Rule of law and the primacy of formal authority	Primacy of custom and moral authority
Primacy of property and economic influence	Influence of expertise

THE STATE

The Nation and Civil Society

Regional organizations often begin by attempting to take over the state's tangible coercive power, legal authority, and economic influence. But they are often better off concentrating on strengthening the role of intangible factors – employment of creative energy, use of the civil society's moral authorities and intellectual resources. In contrast to the Westphalian system, where chaos and disorder constituted the natural condition of state relationships, the presumption now is that chaos exists both within and outside the state. Chaos is enhanced by efforts that transform differences into reasons for violence. In establishing a regional system, respect for differences must be the goal, not formation of a uniform national identity. In fact we all enjoy multiple identities. The sense of a regional people – whatever their differences in language, religious belief, or ethnicity – must be developed eventually as the foundation and correlation of a regional system. Swedes, Germans, and other Europeans are in the process of developing a European as well as a national identity. The IGAD system of early warning and conflict management is rooted in the set of premises above and is not seeking an ideal global world order. A pattern has already emerged in some mediation efforts in the region.

REGIONS AND SOVEREIGN FAILED STATES - THE CASE OF SOMALIA

Somalia was the archetypal failed state of the 1990s.[xxiv] After eventually succeeding in overthrowing the dictator, Siad Barre, in a long civil war during the late 1980s, the rebels were unable to organize a successor government. In 1991, the organs of state and government collapsed altogether.[xxv] Warlords divided the south into sub-regional fiefdoms, while Puntland in the northeast and Somaliland in the northwest enjoyed a degree of stability under the rule of traditional clan leaders.[xxvi]a

Efforts were made to reestablish the state, beginning with a Djibouti initiative in 1991 in which Ali Mahdi Mohamed was designated as Somalia's interim president at a conference. However, he lacked the means to impose law and order on the warlords and clan fiefdoms that had assumed power. He made no significant effort to employ other tools than traditional diplomacy. Eleven subsequent efforts by various parties to bring the factions together failed. These fitful efforts culminated in the National Reconciliation Conference in Cairo in December 1997.[xxvii]

Despite the record of failure, President Guelleh of Djibouti renewed the effort in 1999, which led to the Somali National Peace Conference in Arta, Djibouti in 2000. It lasted five months and finally culminated in a peace agreement.[xxviii] A mixture of traditional mediation efforts and more contemporary and "scientific" methods characterized that peace process.[xxix] The process used was both a reaction against and a response to the disastrous international "humanitarian intervention" in 1993 as well as growing Western apathy with respect to African affairs during the latter 1990s.[xxx] President Guelleh, in a UN speech launching his initiative, pointed a finger directly at the indifference of the international community. He charged that the indifference was an important ingredient in the continuing stalemate in Somalia.

In sum, Djibouti, a tiny and very poor country with a population of only 600,000, with scarce resources and no track record in international diplomacy, took on one of the most intractable cases of intrastate conflict in the world. This was not David trying to negotiate with Goliath, but with a clan of Goliaths – at least relative to itself. Guelleh did not proceed without an imprimatur of legitimacy. In October 1998, IGAD members designated a committee made up of IGAD countries and the International Partners Forum. It would take the initiative in attempting to resurrect the Somali peace process. With respect to this committee, Djibouti committed itself to a determined effort once and for all to bring about peace in Somalia, even though Ethiopia had been formally appointed to lead the peace process in Somalia. This element of com-

mitted leadership is often the forgotten ingredient in contrast to initiatives led by bureaucrats.[xxxi]

Djibouti began by launching a widespread consultation process within Somalia and with IGAD member states, Arab League states, as well as the United Nations. Thus the 1999 launch of the peace initiative was based on knowledge of the various forces and factions at work as well as relatively widespread support for the initiative from both within Somalia[xxxii] as well as from the international community.[xxxiii] Djibouti was trusted by Somalia; Ethiopia was not. Nevertheless, it was important that neighboring states that had a significant stake in the outcome and had provided logistical support to the various factions, particularly Ethiopia, supported Djibouti's efforts.[xxxiv] Four factors were in place that made this initiative propitious. The first was the commitment of a lead state without a vested interest in anything but peace, a state trusted by the parties committed to peace. Second, Djibouti was willing to expend effort and resources in helping Somalia resolve its problems. Third, the initiative had gained outside support and legitimacy from neighboring states with a vested interest in a peaceful outcome and the regional organization representing those states.[xxxv] Fourth, the lead state took the time to acquire an intimate knowledge of the forces and factions in the conflict.

With respect to this latter point, it was not sufficient that Djibouti brought a spirit of self-sacrifice and commitment. Those involved in the peace process also understood the issues within a larger intellectual context. For example, even setting aside the negative African disposition against partition solutions given the mixed make-up of most African states,[xxxvi] an intervener might readily have concluded that secession of Somaliland and Puntland was inevitable, especially since *de facto* secession already characterized Somaliland in the northwest and, to a lesser degree, Puntland in the northeast. After all, the three areas of Somalia had different colonial histories and different external linkages. However, the experts that advised President Guelleh did not take either the different external links or the different colonial histories as determinant. Neither did they take the clan rivalry as supreme in dictating the gov-

erning structure.

Constituted by many clans – Dir, Hawiyé, Isaq, Darod (Somali), Digil and Rohanweyn (Saab), and sub-clans[xxxvii] – conflicts among them in Somalia entailed a fight for rank and status. One might have expected this to be the foundation for reifying separatist tendencies and to explain the disintegration of Somalia. In the scholarly literature, Somalia could have been characterized as an unranked system of ethnic relations prone to secession.[xxxviii] By contrast, in ranked systems the different ethnic groups are intermixed geographically; economic status coincides with ethnicity. There is one dominant group and one or more subordinate groups. Interactions between and among groups take on the character of a patron-client system. Ranked systems are characterized by a pattern of structural discrimination. "(I)ndividuals are assigned to specific types of occupations and other social roles on the basis of observable cultural traits or markers."[xxxix] If one ethnic group acquires exclusive political power and is already the dominant political group, it tends to enact policies to reinforce the existing stratification system. If an ethnic group acquires exclusive power and was not previously the dominant economic and political group, it immediately overturns the existing system. In either case, the dominant ethnic group preserves a monopoly on top public positions and provides exclusive economic opportunities to members of the dominant group through discriminatory laws or regulations. These include limiting access to the educational system, the army, the financial system, and the civil service. In ranked systems lacing social conflict, partitioning the country is an inappropriate solution.

In an unranked system, ethnic groups live in relatively distinct territorial enclaves each with its own system of social stratification and opportunities for upward mobility that do not bring members of one group into conflict with another. Interactions between groups more nearly approximate international relations than a patron-client relationship. Relations between and among groups are characterized by relatively equal ethnic competitiveness over economic resources and control of state and military institutions, so important to

acquiring wealth in poor states. Control of the state itself can become the object of inter-ethnic competition, with each group seeking hegemony over its institutions.[xl] Each group fears that a rival group will gain control over the state and use the power of its institutions to convert the unranked system into a ranked system, sometimes called an internal colonial system, with a cultural division of labor among the clans. This fear can generate a security dilemma. Unranked systems of ethnic relations are prone to secessionist forces.

It would be easy to make the judgment that Somalia is an unranked social system with a propensity for dissolution. Such a conclusion could be reinforced if neighboring states have an interest in dominating a series of Somali mini-states.[xli] However, other factors offset such a disposition. Somalis all speak the same language, have similar customs and social practices, and could be said to constitute a single nation. Furthermore, if clans are mistaken for ethnic nations, Somalia is divisible into many more entities than three. The mediators determined that dissolution of Somalia was neither the right answer for Somalia, for regional stability, nor for Africa in general. Thus, although abstract theory and certain neighbor power interests might have reinforced one outcome, more general interests in regional stability and in recognition of Somalis as a nation led to an effort to resurrect the Somali state.[xlii]

Complementing this conclusion was a process consistent with both the analysis and desired outcome. Djibouti had analyzed the problem and determined that the conflict could only be resolved if the warlords' role was increasingly restricted and the role of civil society was enhanced. Thus, little effort was expended initially in obtaining an agreement on a national government. That would have required a compromise from those holding the reins of power. Instead, efforts were concentrated on developing a process that would be part of the solution, so that any interim government agreed upon would have its legitimacy rooted in the people of Somalia and not in those who controlled the firepower. Instead of just trying to get leaders of clans and militias to hammer out an agreement, a bottom-up approach was initiated.

As part of the process, Djibouti had to ensure at the same time that the base of support for those committed to using force as a method of dealing with problems was undermined. Within three months of launching the initiative, Djibouti managed at a heads-of-state meeting on November 26, 1999 to get IGAD to agree not to reinforce the Somalia warlords. The warlords were identified from the beginning as the central problem, and the IGAD countries agreed to end any cooperation with and support for them.[xliii] The spoilers had ostensibly been identified and financially kneecapped.[xliv]

The result was the first real signal of hope for Somalia in over a decade. Following a series of initiatives that had failed previously, widespread skepticism greeted the prospect of success for this latest initiative. However, during a very short but very dedicated time period, Djibouti lined up the support of all external players - the West, the Arab League, and purportedly all neighboring states.[xlv] Furthermore, much of the indigenous population backed the peace process. At the same time, the sources of the problem were increasingly isolated. During this initiative, outside actors made sporadic efforts to launch other initiatives. They only succeeded in dissipating energy. Djibouti's actions ensured that its initiative was the only real game in town.

Djibouti then targeted very specific elements of Somali civil society.[xlvi] It solicited support of the now large Somali diaspora; technocrats, professionals, and seasoned former politicians were brought together by Djibouti in a technical consultative symposium. Consultations were held with traditional elders, culminating in a meeting of Somali traditional leaders in May 2000. Somali business community support was enlisted. Thus, various components of Somali civil society were brought on board the peace process. At the same time, widespread acceptance was garnered by a very sophisticated approach to the factions, forces, factors, and preconditions (reducing the spoilers' power) to moving the peace process forward in Somalia.

The process also encountered key sources of resistance from parties that were not thought of as spoilers but who preferred the *status quo* - leaders in Somaliland who led the break

from Somalia in March 1991. Later (July 1998), Puntland followed suit. Both regions had established functional regional administrations and a relatively secure economic regime in their areas. They had little incentive to participate in the process. They refused to join. Not only did they refuse to join as polities, but Somaliland's political leadership decreed that members of civil society were also forbidden to participate. These were not just empty threats. A traditional leader in central Somaliland was arrested for participating. Clearly, those who led militias in the south were not the only ones opposed to the peace party. The situation in Puntland was somewhat different, since its independent administration was very recent. Abdillahi Youssouf, its leader, was initially supportive. But he later withdrew that support before being replaced. A number of traditional Puntland leaders, who provided the real authority behind the state's leadership, supported the peace process and participated.[xlvii] With widespread support of civil society[xlviii] in the south and *quasi*-support in Puntland, President Guelleh openly named the warlords of the south as the key spoilers. He called them criminals who had usurped power. The social institutions had to deny them legitimate support. The peace process included withdrawal of the moral, political, and financial support on which the warlords depended.

The warlords had differing responses. Some warlords cooperated with the peace process and attempted to gain legitimacy regardless of the guns they controlled. Others attempted to take part in the peace process to serve their own ends; they were quickly isolated. Finally, key warlords rejected the authority of the peace process in the conviction that might is ultimately right, and forgetting that without some sort of civil society support their mini- and semi-states could whither away even quicker than Somalia had imploded.

The first stage of the peace process concluded in Arta, Djibouti, on May 2, 2000 with a large conference of 1,200 delegates and 1,500 observers from all parts of Somali society. Representation was based on the premise that the polity structure that would emerge would have to be based in the traditional clan system. This premise was somewhat watered down

by also including 100 women delegates in recognition of the large role that women's groups had played in the peace process.

Sultans, Bogors, Ugas, Islan - the Somali elders and traditional leaders - used the opportunity to pay homage to one another and request forgiveness for previous acts of egregious violence against persons and property. They also talked about substantive political issues concerning a constitution or charter, disarmament, economics, and the status of Mogadishu. President Guelleh received the loudest acclaim of any notable present for his commitment, his detailed knowledge of the Somali political landscape, his empathy, and his neutrality – at least with respect to the various leaders and parties committed to the peace process. Yet he was not a neutral mediator in general. He made sure he knew more, showed greater commitment, demonstrated that he had nothing to gain personally, but clearly opposed anyone who would sacrifice peace for personal power. Furthermore, he was not neutral as to the outcome. He understood that a result leading to peace could not be based on an abstract notion of human rights and equality of all citizens; it had to be rooted in resurrecting conventions of authority and peace rooted in the history of Somalia. At critical points in the process, Guelleh intervened and made significant suggestions. He was an active mediator.

A transnational assembly with 245 members was constituted on August 13, 2000. Abdullah Deeria Isaak was elected speaker, Abdikassim Salat Hassan was elected president with 61 percent support. The Somalis had formally begun their way back to a peaceful state for all Somalis. However, too many peace agreements have fallen apart. The process is being monitored. As pointed out in Chapter 3 here the techniques of early warning are not only relevant to preventing conflict and mitigating violent conflict once underway, but to preventing resort to violence after a peace process is in place.

EXTRACTING PRINCIPLES FROM A CASE STUDY

Without assuming that regional efforts underway in Somalia are the ideal example of how to create a community of peace or even that the process in Somalia will necessarily be successful, there are elements in this effort worth identifying. First, a neighboring state with a vested interest in peace in Somalia made an extraordinary commitment by putting its energy and limited resources to work to address the issue. Second, the regional organization provided the moral legitimacy and authority for the effort. Third, the efforts were informed by analyses that ruled out certain options such as dividing the country. Analysis also reinforced certain methods that relied heavily on the input of traditional leaders and the role of customary practices while isolating warlords who continued to act as spoilers. The conflict management method relied significantly on indigenous mechanisms. At the same time, the direction of those efforts was informed by intellectual analyses of the situation.

It is just as important to note what was not used to foster peace. Humanitarian intervention in the form of coercive outside military force was not used in a disinterested way in Somalia as had been the case with Operation Restore Hope.[xlix] The regional organization provided moral legitimacy and sanctioned the effort to keep the country united: it ignored leaders in Puntland and Somaliland who led separatist factions. With some exceptions, it largely isolated the warlords who relied on coercion to prevail in certain areas. However, there was no effort to threaten a warlord, even with legal action. Economic inducements and sanctions were not used as incentives. In sum, there was no reliance on coercive power, legal authority, or material interests to foster the peace process. Instead, the leadership used intangible rather than tangible factors – creative and committed energy, moral authority, and intellectual influence – to address the crisis (see Table 8).

Table 8. Capacities

	Tangible	Intangible
Power	Coercive force-monopolized by the state	Creative energy of the people
Authority	Formal authority and the rule of law	Moral authority of traditional leader
Influence	Material influence	Intellectual influence expertise

Coercive power, formal authority, and material influence can be used to repress people's creative energy, tradition's moral authority, and expertise's intellectual influence – even in a relatively enlightened political regime.[1] On the other hand, intangible factors (*e.g.*, power in the form of commitment and creative energy, moral authority, and intellectual influence) can be used to foster a community of peace. The member states and IGAD will have to rely on the use of creativity and influence, enhanced by analysis and skills based on expertise to *facilitate* establishing common rules and legal regimes rather than relying primarily on material inducements, formal authority, and coercive enforcement. The latter tools are not available to serve peace in the region.

The reasons this path was followed in the Somalia case may have been fortuitous. IGAD's capacities cannot compare with those of the EU or NATO. The IGAD countries do not have the range of highly specialized inputs to provide all the needed expertise (such as information on small arms flow). However, it did know the local social structure, patterns, and players. Nevertheless, where custom and tradition have been resurrected, they have too often been used by a repressive and reactionary regime. Furthermore, the region's states do not have a monopoly on coercive power. Militias, warlords, rebellious groups, and criminal gangs all have cheap sources of guns and ammunition.[li] The rule of law is often sacrificed to the rule of men. And property becomes not a right but a means to achieve privilege that is used in turn to provide preferential benefits to some in their pursuit of wealth. The rule of law can become an instrument of repression if the legal system is used to reinforce violence. When one group can gain a monopoly on the

use of coercive power and legal authority, it is not surprising that the same group will use its members' positions to gain material benefits. Cutting off the benefits, undermines such rulers.[lii]

The case suggests a different course. The region has all the resources needed to reverse course from an area on the brink of chaos towards a renewed center of creative and dynamic peaceful civilization. But the region's states must develop a joint vision for themselves. They must share their intellectual resources. They must nurture and respect the variety of customs and traditions within the region. They must reject resorting to use of the military as the first means to resolve disputes between and within states. They must work together to monopolize state violence while not resorting to violent coercion to subvert the rule of law and abuse the rights of individuals. They must work to enhance the rule of law and respect for individual rights. The region need not resort to coercive intervention.

CONCLUSION

The concrete case of Somalia reinforces a stress on intangible factors of power, authority, and influence in fostering a community of peace located in civil society as a complement to the state. The analysis identified existing institutions available to counteract a culture of violence. Political theory helps to create a model in which state institutions and intangible forces in civil society fostered by a regional organization can work together to monitor and manage conflict.

NOTES

i   As Hussein Adam so succinctly put it, "Somalia has no internationally recognized polity; no national administration exercising real authority; no formal legal system; no banking and insurance services; no telephone and postal system; no public service; no educational and reliable health system; no police and public security services; no electricity or piped water sys-

tems; and weak officials serving on a voluntary basis, surrounded by disruptive, violent bands of armed youth." Hussein M. Adam, "Somali Civil Wars." *Civil Wars in Africa: Roots and Resolution* (Montreal/Kingston, McGill-Queen's University Press, 1999):169-92.

ii   There are those who believe that a bottom-up approach will lead to a proliferation of mini-states rather than regionalism, particularly in Somalia. Thus Kenyan Foreign Minister Bonbaya Godana said in an IRIN interview on April 23, 1999, "this bottom-up approach could lead to lots of small states, *de facto* states, emerging in Somalia." The bottom-up approach is seen as reinforcing fragmentation rather than unification. This issue will be taken up in the next section.

iii   In 1986, after a second decade of drought and famine as well as initiation of the United Nations Environment Programme (UNEP), Djibouti, Kenya, Ethiopia, Somalia, and Sudan established IGAD to deal with drought and desertification. Hence it was first called the Intergovernmental Authority on Drought and Desertification (IGADD). The organization was mandated to provide early warning (the Italian-financed Early Warning and Food Information System - EWFIS) of humanitarian emergencies for the international community and international agencies. Thus resources could be mustered and emergency assistance coordinated for relief. As Korwa Adar noted, "These regional International Governmental Organizations (IGOs) are increasingly performing tasks which go beyond socio-economic functional arrangements to those that fall within the purview of *realpolitik* security perspectives." Furthermore, "There was a shift from the concept of "African solutions to African problems" to "African 'sub-regional' solutions to African sub-regional problems." Korwa G. Adar, "Conflict Resolution in a Turbulent Region: The Case of the Intergovernmental Authority on Development (IGAD) in Sudan." *African Journal of Conflict Resolution* 1, 2 (2000):39-66. With Eritrea and Uganda joining, IGADD became IGAD with the objective of encouraging intra-regional trade to promote self-sufficiency and sustainable development, assume some responsibility for refugees and the displaced, and mitigate conflict in the region.

iv   To understand the legal mandate for IGAD engaging in early warning and conflict management at all, see IGAD, "Declaration of the 17th Session of the Council of Ministers of IGAD on the Conflict Situation in the Sub-Region." March 15, 1998, and *Program on Conflict Prevention, Resolution, and Management* (Djibouti: IGAD, 1999).

v   Ethiopia's recent war with Eritrea is not the only example of an

inter-state war in the region. For example, Ethiopia and Somalia went to war over the Ogaden in both the 1960s and in 1970s.

vi   As Australian Chancellor Metternich said: "States belonging to the European alliance, which have undergone in their internal structure an alteration brought about by revolt, whose conse-quences may be dangerous to other states, cease automatically to be members of the alliance. [If such states] cause neighbor-ing states to feel an immediate danger, and if action by the Great Powers can be effective and beneficial, the Great Powers will take steps to bring the disturbed area back into the European system, first of all by friendly representations, and secondly by force if force becomes necessary to this end." Quoted in P. Weber, 1995, p.12 from Palmer, R.R. and J. Colton, A History of the Modern World. 4th ed. (New York: Alfred Knopf, 1971):490.

vii   William H. McNeill, The Pursuit of Power: Technology, Armed Force and Society since A.D. 1000. (Chicago, University of Chicago Press, 1982):113, and Ronen P. Palan, "State and Society in International Relations." Transcending the State-Global Divide (London: Lynne Rienner Publisher, 1994):45-62.

viii With rapid urbanization in the developed world, there is a loss of identity for new arrivals and also a sense of invisibility and freedom from traditional norms, which previously restricted the actions of the individual. One result is a decline in the sense of common purpose.

ix   One immediately thinks of an Ayatollah in Iran operating at the state level or a Mao or Stalin trying to build a new empire on a regional basis. But this exploitation of tension between an effort to reify the past and the effort to make an ideal future the dominant motif in the present occurs at the local, state, and regional levels. "Currently the politics of the pastoral commu-nities are dominated by warlordism. The warlords now control all aspects of social, economic and political life of the people. They seem to have some hypnotizing powers over the people. Thus they are a law unto themselves." Joshia O. Osamba, "The Sociology of Insecurity: Cattle Rustling and Banditry in North West Kenya." African Journal on Conflict Resolution 1, 2 (2000):32.

x   "Integration into the world economy undermines the old style of neo-patrimonial politics for several reasons. First, patronage and rent-seeking politics thrive in closed systems...The exigen-cies of international competition will force greater discipline on African governments: central banks will have to pursue cau-tious monetary policies that maintain low inflation; adminis-

trative, police,, and military establishments will have to professionalize their staff and respect basic property and political rights; and government spending will need to become more productive than in the past, with more resources devoted to infrastructure and capital investment, and fewer devoted to subsidies or lost to waste and fraud. Secondly, attracting and retaining foreign investment requires more transparent, impersonal, and predictable administration of policy and laws...Third, the reduction of monopoly rents that is achieved by opening up undermines the resource base of traditional politicians and creates incentives for new types of behavior." Nicolas Walle, "Globalization and African Democracy." *State Conflict and Democracy in Africa* (Boulder, Lynne Rienner Publishers, 1999):95-118.

xi   "Economic globalization has placed constraints upon the autonomy of states. More and more, national debts are foreign debts so that states have to be attentive to external bond markets and to externally influenced interest rates in determining their own economic policies. The level of national economic activity also depends upon access to foreign markets. Participation in various international 'regimes' channels the activities of states in developed capitalist countries into conformity with global economy processes, tending toward a stabilization of the world capitalist economy." Robert W. Cox, "Structural Issues of Global Governance: Implications for Europe." *Gramsci's Historical Materialism and International Relations* (Cambridge, Cambridge University Press, 1993):259-89.

xii   See James H. Mittleman, ed., *Globalization: Critical Reflections* (Boulder: Lynne Rienner, 1996):191.

xiii "The rapid growth and maturation of the multicentric world can in good part be traced to the extraordinary dynamism and expansion of the global economy. And so can the weakening of the state, which is no longer the manager of the national economy and has become, instead, an instrument for adjusting the national economy to the exigencies of an expanding world economy." J.N. Rosenau, "Governance, Order, and Change in World Politics." *Governance Without Government: Order and Change in World Politics* (Cambridge: Cambridge University Press, 1992):1-29.

xiv   Developed states are still involved in providing assistance to Third World states but at declining levels in terms of both the size of their own economies and the multiplication of needs elsewhere. Furthermore, an increasing proportion of development aid has shifted to dealing with complex emergencies. At

the time of the Rwanda genocide, 45 percent of UN assistance was devoted to humanitarian rather than development purposes. See UNDP, "Emergencies Consuming Nearly Half of UN Assistance." *Africa Recovery* 8, (1994):1-2. That ratio is even lower today. Developed states are economically and socially less committed to providing overseas assistance. At the same time, multinationals grow in strength and power, but 70 percent of international trade is intra-company trade, and states are less able to tax global companies, since the way they earn their profits are less and less under the control of states. "Restructuring is depriving the state of its ability to regulate economic life, furthering the outflow and internal concentration of wealth." Mittleman, 1996, p.209. Global corporations contribute a declining proportion of national income to state coffers, and significantly less when measured against their wealth and power in the economy. The ability of any single state to tax them in relationship to their real earnings further weakens under the pressure of international competition to attract multinationals to different countries and locales. The combination of political, social, and economic weakness of developed states means that they are less able to play a role as providers of development aid, especially given the greater need. The result is a weakening of international law and the tools for its enforcement in all but the commercial field; at the same time as those laws themselves and the areas of international concern are multiplying.

xv   See Peter M. and Ernst B. Haas, "Learning to Learn: Improving International Governance." *Global Governance: A Review of Multilateralism and International Organizations* 1,3. (1995):255-84 and David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance.* (Stanford: Stanford University Press, 1995):viii.

xvi Howard Adelman, "Modernity, Globalization, Refugees, and Displacement." *Refugees, Contemporary Perspectives on the Experience of Forced Migration* (London: Cassell Publishers, 1999):83-110.

xvii "Integration into the world economy undermines the old style of neo-patrimonial politics for several reasons. First, patronage and rent-seeking politics thrive in closed systems...The exigencies of international competition will force greater discipline on African governments: central banks will have to pursue cautious monetary policies that maintain low inflation; administrative, police,, and military establishments will have to professionalize their staff and respect basic property and political rights; and government spending will need to become more

productive than in the past, with more resources devoted to
infrastructure and capital investment, and fewer devoted to
subsidies or lost to waste and fraud. Secondly, attracting and
retaining foreign investment requires more transparent, imper-
sonal, and predictable administration of policy and
laws...Third, the reduction of monopoly rents that is achieved
by opening up undermines the resource base of traditional
politicians and creates incentives for new types of behavior."
Walle, 1999:111.

xviii See Paul Kennedy, *Preparing for the Twenty-First Century.* (New
York, Random House, 1993):131.

xix "Globalization is generating a more complex multi-level world
political system, which implicitly challenges the old
Westphalian assumption that a state is a state is a state.
Structures of authority comprise not one but at least three lev-
els: the macro-regional level, the old state (or Westphalian)
level, and the micro-regional level. All three levels are limited
in their possibilities by a global economy which has means of
exerting its pressures without formally authoritative political
structures." Cox, 1999:263.

xx "(T)oday and for the foreseeable future, the only international
civilization worthy of the name is the governing economic cul-
ture of the world market. Despite the view of some contempo-
rary observers, the forces of globalization have successfully
resisted partition into cultural camps." Rosecrance, 45. An evo-
lutionary view of this perspective can be seen in articles that
applaud regionalism simply as a beneficial stage en route to
globalization. See G. E. Gondwe, "Regional Integration and
Globalisation: The Role of COMESA." *African Review of Foreign
Policy* I:2 (1999):22-30. Gondwe directs the African Department
of the IMF and first gave this article as a speech to the summit
of heads of state of COMESA in Nairobi, May 25, 1999.

xxi There are, of course, those modernists who see the only solu-
tion as the strengthening of the modern rational state and its
hold on coercive power, legal authority, and management of
the economy. Steward Clegg, for example, argued that, "Rather
than being a repository for the reproduction and maintenance
of tradition and of time-honoured beliefs and practices, the
state becomes much more discursively rational. It becomes a
locus in which decision-making, based upon relatively uncon-
strained discussion and legal elaboration, is the basis for the
decision made. This can be characterized as an increasing open-
endedness." Stewart R. Clegg, *Frameworks of Power.* (London:
Sage Publications, 1989):267. Customary traditional institu-
tions and thinking stood only for irrationality and closed-

mindedness.

xxii "We have entered a time of global transition marked by
uniquely contradictory trends. Regional and continental associ-
ations of States are evolving ways to deepen cooperation and
ease some of the contentious characteristics of sovereign and
nationalistic rivalries. *National boundaries are blurred by*
advanced communications and global commerce, and by deci-
sions of States to yield some sovereign prerogatives to larger,
common political associations. At the same time, however,
fierce new assertions of nationalism and sovereignty spring up,
and the cohesion of States is threatened by brutal ethnic, reli-
gious, social, cultural or linguistic strife. Social peace is chal-
lenged on the one hand by new assertions of discrimination
and exclusion and, on the other, by acts of terrorism seeking to
undermine evolution and change through democratic means."
Boutros Boutros-Ghali, *An Agenda for Peace, 2nd. ed.* (New York:
United Nations, (The first 1992 edition is included.), para. 11,
1995):41-2.

xxiii "Regional integration and global integration should be mutu-
ally supportive and complementary." Gondwe, 22. See also, for
example, T.M. Shaw, "New regionalism in Africa in Responses
to Environmental Crises: IGADD and Development in the
Horn in the Mid-1990s." *Disaster and Development in the Horn of
Africa* (New York: St. Martin's Press, 1995):249-63.

xxiv The material included in this section is drawn from the Somalia
case study written for the team of experts advising on an early
warning and conflict-management system. I have not selected
the Sudan case in which IGAD was also been involved; because
it does not seem to me to be the example of effective conflict
management that Adar makes it out to be. As Adam so suc-
cinctly put it, "Somalia has no internationally recognized
polity; no national administration exercising real authority; no
formal legal system; no banking and insurance services; no tele-
phone and postal system; no public service; no educational and
reliable health system; no police and public security services;
no electricity or piped water systems; and weak officials serving
on a voluntary basis, surrounded by disruptive, violent bands
of armed youth." Adam, 1999:182.

xxv Some authors argue that it was precisely the attempt to central-
ize power that led to the collapse. "Contraction around a single
center is precisely the reason the Somali National Movement
was founded in the first place in the early 1980s (northerners
felt they were being shortchanged by the central government,
located as it was in the south), precipitating the country's civil
war and ultimately its dissolution...centralized control itself,

given the structure of Somalis' social relations, remains the very real problem – and is bound to persist as the obstacle to any new configuration." Joshua Bernard Forrest, "State Inversion and Nonstate Politics," in Leonardo A. Villalón and Phillip A. Huxtable eds. *The African State at a Critical Juncture: Between Disintegration and Reconfiguration.* (Boulder: Lynne Rienner Publishers, 1998):45-56, 70-71.

xxvi In contrast to the position noted in the previous endnote, others argue that "warlordism" is encouraged precisely because state power is weak. "The prior weakness of state institutions has considerable bearing on whether a weak state ruler will pursue a warlord strategy." William Reno, *Warlord Politics and African States.* (Boulder: Lynne Rienner Publishers, 1998):218.

xxvii At the time of writing, this has been less true of Puntland, the self-declared autonomous region in northeastern Somalia. Abdullahi Yusuf, who tried to stay in power after his three-year mandate expired, was overthrown. Yusuf was a former army colonel who participated in the 1977 Ogaden war between Somalia and Ethiopia and failed in an attempted coup against former President Muhammad Siyad Barre in 1978 after the defeat of Somalia. He set up the first serious armed opposition group to Barre - the Somali Salvation Democratic Front. A popular leader in 1998, he was elected by clan elders as president of Puntland. However, since the end of June 2001, he has become embroiled in a leadership dispute. The mandate of his administration was to have expired on June 30, but was extended for another three years. The extension was challenged by opposition figures and aspiring presidential candidates. The situation was compounded when the Puntland High Court issued a decree on June 26, putting all security services and other government institutions under the court's supervision after June 30. Chief Justice Yusuf Haji Nur declared himself the new leader. Yusuf said that the decree empowering him had been issued in conformity with the Puntland charter. On July 25, the clan elders confirmed Yusuf Haji Nur as acting president until August 31. On the August 7, 2001, forces loyal to Colonel Abdullahi Yusuf were routed and forced out of Bosaso, the commercial capital, to the regional capital, Garowe, by militia loyal to the new "acting president," Yusuf Haji Nur. On that date traditional elders met local government workers in Bosaso port - a critical source of revenue - and instructed them to report to the new administration of Yusuf Haji Nur. Initially, it was reported that Colonel Abdullahi Yusuf, and his cabinet announced their resignations on Wednesday morning, the following day, from Galkayo. However, on August 9, Colonel

Abdullahi Yusuf told the BBC that he was still the president but would remain in Galkayo for the present and continue to hold consultations with the people of Mudug, the home base of his Umar Mahmud sub-clan of the Majerten. He blamed fighting and political confusion on Islamic fundamentalist opponents. However, the newly established leader in Bosaso, Yusuf Haji Nur, claimed he was the sole authority in Puntland. (This summary is taken from IRIN dispatches in July and August 2001.)

xxviii See John Prendergast, *Crisis Response: Humanitarian Band-Aids in Sudan and Somalia.* (London: Pluto Press, 1997).

xxix However, as William Zartman noted, African states "know how to make a deal more than they know how to keep one." Zartman I. William. "Inter-African Negotiations." *Africa in World Politics* eds. John W. Harbeson and Donald Rothchild (Boulder: Westview Press, 1991):268-83.

xxx As Forrest argues, "In areas where there is no viable state presence, state reconstruction may not be imitative of the colonially imposed 'modern' state structure, but may represent a hybrid authority system combining aspects of pre-colonial, colonial, and contemporary leadership structures in ways that more accurately reflect the existing social and political bases of rural societies." Forrest, 1998:55.

xxxi This indifference may be a by-product of globalization. "Private capital in its different guises – equity, portfolio, and foreign direct investment – has barely even noticed Africa in recent years, and there is little reason to believe that the degree to which sub-Saharan Africa is integrated into world capital markets has been increasing. Indeed, the last two decades can probably more accurately be characterized as having witnessed the disengagement of global capital from the continent, with only a few minor exceptions." Walle, 1999:103.

xxxii As Hussein Adam so presciently argued, "(m)ost probably the Somali civil wars will have to be resolved internally by the parties concerned, but sub-regional actors, motivated by a spirit of neighbourliness could be facilitators." Adam, 1999:190.

xxxiii　　 Leaders in Somaliland (and Puntland at that time) opposed the initiative.

xxxiv There is, of course, a Catch 22 in this support. The donor countries want stability before the diplomatic support is backed up with aid. But without the aid, it will be extremely difficult for a stable centralized regime to emerge.

xxxv For example, before this recent peace initiative, Ethiopia helped to create the Rahanwien Resistance Army (RRA) in Bay and Bakool to oppose the Islamic extremist organization, Al'Ittihad. Eritrea shipped arms to Hussein Aydid for Ethiopian Oromo

rebels.

xxxvi   One reading of an interview with Bonaya Godana in April of
1999 was that many neighboring states supported *de facto* divi-
sion of Somalia. However, that was before the round of peace
talks being discussed. Furthermore, the interview makes clear
that neighboring states wanted stability first and foremost,
whether from *de facto* mini-states or a stable central state. The
outcome of the talks led by Djibouti meant that a revived cen-
tral state could be the means to that stability rather than mini-
states.

xxxvii   "(T)he OAU opposes any attempts at secession, because one
of the hallmarks of the OAU Charter is the inviolability of fron-
tiers inherited from the colonial era. Due to the multi-ethnic
nature of most African nation-states, African leaders remain
fearful that changing even one boundary will open a Pandora's
box of ethnically based secessionist movements and lead to the
further Balkanization of the African continent into smaller and
economically inviable [sic!] political units." Peter Schraeder,
African Politics and Society: A Mosaic in Transformation. (Boston:
St. Martin's, 2000):132.

xxxviii   For example, the Dir are divided into Esa and Gadabursi
sub-clans. The Darod are divided into Majerteen, Dulbahante,
Warsangeli, Marehan, and Ogaden sub-clans. For a very helpful
map of clan and sub-clan locations in Somalia, see Map 2.3,
"Ethnic Groups in Somalia." *Humanitarian Aid to Somalia* (The
Hague: Operations Review Unit of the Netherlands
Development Cooperation, 1994).

xxxix   For example, Karin von Hippel, who served as a political advi-
sor to the UN Secretary General's representative for Somalia,
argued that, "In Somalia, the dynamic emergence of strong pat-
terns of local sovereignty now competes with the assumption
that state sovereignty will be restored at the center. The appear-
ance of functioning and legitimate patterns of local administra-
tion not only constitutes a political and social adaptation of
Somali society to the prolonged collapse of the Somali state,
but it also emphasizes the tendency to consider sub-state politi-
cal formations as entities qualified to achieve political legiti-
macy and, possibly, some form of international recognition
and support." Karin van Hippel, *Democracy by Force: US Military
Intervention in the Post-Cold War World.* (Cambridge, Cambridge
University Press, 2000):90.

xl   See Michael Hechter, "The Political Economy of Ethnic
Change". *American Journal of Sociology* 79 (1974):1151-78.

xli   See David A. Lake and Donald Rothchild, "Containing Fear:
The Origins and Management of Ethnic Conflict." *International*

Security 21, Fall (1996):41-75.

xlii   For example, the BBC Monitoring Service, on October 17, 2000
        and a Somali newspaper `Qaran&apos' (website October 17,
        2000) reported that a number of Ethiopian troops had
        increased and were massing along the Somali border districts
        near Doolow in southwestern Somalia. A Somali delegation,
        led by Abdullahi Ahmad Adow, discussed the movement of
        troops as well as ways in which a security agreement could be
        reached between Ethiopia and the new Somali government.
        Ethiopia was reported as having agreed not to intervene in
        Somalia, though Adow noted that Ethiopia had warmly wel-
        comed to its territory several leaders of the RRA (Rahanwein
        Resistance Army) who were dissatisfied with the Djibouti rec-
        onciliation conference.

xliii   The role of neighbors in tipping the balance of one outcome
        versus another should not be underestimated. "African govern-
        ments and insurgent movements are relatively autonomous
        actors, capable – in part, at least – of determining their own
        agendas; thus, it is necessary to look at the local and regional
        sources of African conflicts in order to understand the interac-
        tional processes at work." Rothchild, 1999:300.

xliv   Thus, newly elected Somali interim President Abdiqassim Salad
        Hassan visited the Ethiopian capital, Addis Ababa, in
        November 2000 where he was received with red-carpet treat-
        ment though not recognized as head of state. Talks between
        Minister Meles Zenawi and Abdiqassim focused on contentious
        issues of domestic and regional security and were declared "cor-
        dial" and "successful" by both sides with "very clear under-
        standings" reached on basic issues. However, an article
        distributed by IRIN on January 2, 2001 entitled, "Ethiopia and
        Somalia: An Uneasy Relationship," reported that Ethiopia sus-
        pected Abdiqassim of having links to Islamic fundamentalism.
        Further, Ethiopia was reported to be arming and hosting
        opposing faction leaders and back-pedaling on gestures of
        recognition for the new Somali government. On January 9
        (IRIN), Somali Prime Minister Ali Khalif Galayr accused
        Ethiopia of arming and training Somali factions opposed to the
        new interim government. The Ethiopian government strenu-
        ously denied accusations of interfering in Somalia. A statement
        issued from the Ethiopian embassy in Nairobi, Kenya, insisted
        that "allegations that the Ethiopian government is arming and
        hosting opposition leaders are completely unfounded and a
        pack of lies." It added that Ethiopia's overriding concern was to
        search for a durable peace and stability in Somalia. It said it
        had "only taken appropriate measures against some terrorist

groups, which in the past, made incursions into Ethiopia, with
sinister motives, while exploiting the unfortunate situation of a
lack of central government in Somalia" (IRIN Somalia, January
2, 2001). On January 15, the Ethiopian government issued a
formal press release in which the government elaborated on the
statement from its Nairobi embassy. Ethiopia claimed that it
had never invaded Somalia, nor were its troops in control of
any Somali territory; it had only taken appropriate measures
against some terrorist groups, which made past incursions into
Ethiopia with sinister motives, while exploiting the unfortunate
lack of central government in Somalia. The press release went
on to say It said that, even though it is public knowledge that
there are various Somali factions working against the new gov-
ernment in Mogadishu, Ethiopia's track record proves no
involvement in that country's internal affairs. Ethiopia claimed
that it believed that the solution to the Somalia crisis can only
come from Somalis themselves, and that external solutions or
those imposed will not last and cannot be sustainable.
Ethiopia's role, the statement said, was limited to facilitation
and assisting Somali efforts to achieve peace and national rec-
onciliation. The statement went on to recall that Ethiopia had
been mandated by the OAU and IGAD to promote peaceful res-
olution of the political crisis in Somalia and, therefore, it tried
to do everything possible to shoulder this challenging responsi-
bility vested on it. Thus its relation with the various Somali
groups or leaders was and remained a search for enduring
peace and stability based on dialogue to achieve full national
reconciliation. Finally, the Ethiopian government declared that
"we also wish to underline the fact that, Ethiopia has always
been eager to and demonstrated its genuine desire to see a
united and strong Somalia because it would be in the best
interest of that country and Ethiopia too. A divided, disinte-
grated, and weakened Somalia is a nightmare for Ethiopia. That
is what we have experienced from the past ten years' situation
in Somali. Ethiopia's position is that it recognizes that the
peace process needs to be complete by bringing on board the
other Somali parties that did not participate at the Arta confer-
ence, and was encouraged that President Abdikasim shared this
conviction." (Formal Press Release, Ethiopian Government,
January 15, 2001).

xlv   See Stephen Stedman, "Spoiler Problems in Peace Processes."
      International Security 22,2, Fall (1997):5-53, reprinted in Paul
      Stern ed., *International Conflict Resolution After the Cold War,*
      Washington, D.C.: National Academy of Sciences, 2000).
xlvi The role of Ethiopia in attempting to bring the warlords into

the peace agreement has been very contentious. After the row in January 2001, a number of warlords and faction leaders met in the Ethiopian capital, Addis Ababa, and sought to form a united opposition to the first government of Somalia in ten years. These included the then head of the autonomous region of Puntland, Abdullahi Yusuf Ahmed, General Mohamed Hersi Morgan, General Adam Abdullahi Gabyo, and General Hassan Mohamed Nur as well as other faction leaders from Mogadishu, including Hussein Aideed, Osman Hassan Atto, and Musse Sudi Yalahow Hussein Aidid. Somalia's transitional government reacted angrily to the talks taking place among its political opponents in Addis Ababa. And this was the reason Prime Minister Ali Khalif Gallaydh accused Ethiopia's government of intervening in Somalia's internal affairs and insisted that Ethiopia stop trying to undermine the Somali government. In a press conference at the government's headquarters at the Ramadan hotel in the capital Mogadishu, Mr Gallaydh claimed Ethiopia was trying to divide Somalia into several small fiefdoms ruled by warlords. "Ethiopia cannot be the architect of how Somalia should reconcile," said Mr Gallaydh "The confidence and will of our people is much stronger than Ethiopian plots to sabotage the new government."

xlvii Chester Crocker had outlined the possible role of civil society in his foreword to the Hirsch and Oakley book. *Somalia and Operation Restore Hope* (Washington, D.C.: U.S. Institute of Peace Press, 1995):xvi. Adam picked up this theme and argued that "There are, however, certain redeeming features) more indigenous and sustainable than the colonial and Cold War states of the past. There is a growing strength in civil society, essentially because the state has collapsed state." Adam, 1999:182.

xlviii See endnote 27.

xlix "The data shows that the role of civil society in these conflicts is generally high. This correlates well with the high involvement of NGOs as part of civil society in the conflicts and their management." Makumi Mwagiru, *Conflict Management in Africa: Lessons Learned and Future Strategies*. (Nairobi, Friedrich Ebert Centre for Conflict Research, 2001):20.

l   Busumtwi-Sam argues for support of intervention to resolve violent conflict. James Busumtwi-Sam, "Redefining 'Security' after the Cold War: The OAU, the UN, and Conflict Management in Africa." *Civil Wars in Africa: Roots and Resolution* (Montreal: McGill-Queen's University Press, 1999):257-87.

li   See Howard Adelman, "Authority, Influence, and Power." *Philosophy of the Social Sciences*, December 6, 1976):335-51.

lii   For an overview of the routes and role of small arms in Africa, see Eunice Reyneke, ed., *Small Arms and Light Weapons in Africa: Illicit Proliferation, Circulation, and Trafficking.* (Pretoria: ISS, recording proceedings of the OAU Experts Meeting and International Consultation, May-June 2000). For a detailed analysis of efforts to control the problem in southern Africa, see Virginia Gamba, ed., *Governing Arms: The Southern Africa experience.* (Pretoria: ISS, 2000).

liii   Reno, for example, argues that "the globalization of new economic partners and opportunities appears to be increasing the attractiveness to rulers of a reliance on commercial exploitation as a quick way to solve problems of political authority." Reno:219. However, "broad-based external changes, the end of most external patronage, and the rise of new commercial actors and opportunities set into motion the creation of new political coalitions in weak states. Reno:220. As Adam put it, "As long as resources did not dry up, Siyad was able to hold on to power. But U.S. congressional criticism of Siyad's human-rights record, made dramatic and visible by the war in the north, led to the suspension of American military aid in 1988. In 1989 U.S economic aid, too, was blocked, and other states and international organizations began to follow suit. The regime collapsed in January 1991." Adam, 1999:177.

CHAPTER 6

BUILDING CEWARN
AROUND ENTRY POINTS

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INTRODUCTION

Given the lack of trust and cooperation necessary to establish a sub-regional early warning and response system, discussions among members of the consultancy team with the IGAD secretariat and its member states centered on which issues the proposed system could effectively address in this intergovernmental context. The key question was: Would the system be able to operate freely within states and monitor internal conflict-generating factors? Would states endorse development of such a system? Opinions were divided on this point. Some team members adopted a pragmatic and process-oriented approach, and others argued for a broader ideal-type approach.

The former argument suggested that a narrow focus on areas where it was apparent that member states were willing to cooperate and share information should be IGAD's initial aim. This perspective disagreed with the idea that an early warning system could be limited to defined areas and still be regarded as a true early warning system that should ultimately be unrestricted and have full regional coverage. The benefits of the first approach – starting with a clearly defined area where trust and established mechanisms already existed – eventually out-

weighed the second for the following reasons: Development of CEWARN had to be process-oriented. While it was accepted that full regional coverage was the ultimate end goal, it had to be acknowledged that this was unlikely to occur in the short term. Confidence to move toward this system of full coverage would only emerge from applying CEWARN successfully to defined areas. Based on its successful application to an identified entry point, CEWARN would gradually have to inspire member states to expand its area of coverage, which is of course the long-term aim of the project.

While the incremental approach of developing CEWARN around a defined entry point was eventually adopted, it should be emphasized that CEWARN's legal foundations (the protocol establishing CEWARN discussed in chapter 8 and presented in Appendix F) do not limit system coverage to any specific areas. CEWARN may thus be applied to other areas over time.

This chapter discusses the rationale for the entry-point approach in general and provides a summary of case-study findings that outline existing and planned mechanisms for cross-border pastoral conflict management in the case-study areas. Prospects for enhancing these mechanisms and initiatives through applying early warning methods are also considered. The chapter concludes by presenting a description of how CEWARN's role could be used in developing an effective cross-border conflict management system in the two case study areas.

CHOOSING AN ENTRY POINT

As outlined above, choosing an appropriate CEWARN entry point was a crucial part of the assessment phase and consultations with regional representatives from government and civil society (see Appendix B for a description of the process). In order to ensure that the entry point would contribute to confidence building within the region and facilitate expanded cooperation among states in the areas of peace and security, criteria were developed for selecting entry points:

- The option should mitigate and not fuel existing violent conflicts
- The issue chosen should affect as much of the region as possible and be a matter of common interest
- The option should have an impact on human and state security
- Resolution of the issue should enhance both national and regional economic cooperation and integration
- The issue should foster dialogue between the actors themselves rather than impose solutions from outside
- There should be existing initiatives (that CEWARN could build on) already addressing the issue
- The chosen entry point should contribute to confidence building in general among and between each member state and its civil society

Three different entry points fulfilled these requirements and were discussed during regional consultations: the problems of small arms control, monitoring peace processes, and conflicts in pastoral areas.

The illicit trafficking of small arms in the Horn of Africa is recognized as a significant regional security issue. Combating illicit trafficking is viewed as a priority for IGAD member states. The mandate for IGAD to play a role in this area is uncontested, and security organs are already taking steps to address the problem. A regional (Great Lakes and Horn of Africa) institutional framework to address proliferation of illicit small arms and light weapons has existed since the Nairobi Declaration March 15, 2000.

A reading of the Nairobi Declaration illustrates the clear need to develop a regional information-sharing platform on issues relating to small arms: The declaration "recognize(s) the need for information-sharing and cooperation in all matters relating to small arms and light weapons including promotion of research and data collection in the region and encouraging cooperation among governments and civil society:"[1] Furthermore, effective dissemination of such information

and analyses is critical to increase coordination and coopera-
tion between all agencies and governments. The Nairobi
Declaration's existing framework represents a structure for
political decision-making and response capable of convening
member states in both the IGAD and Great Lakes regions and
initiating action in the small arms and light-weapons arena.

It was thus envisaged that CEWARN could focus on
developing an early warning monitoring capacity as a com-
plement to decision-making in the existing Nairobi Declaration
framework and provide the necessary platform for information
sharing and dissemination of relevant data, research ideas,
and analyses in which IGAD, through CEWARN would act as
a clearinghouse, disseminator, and developer of a regional
database on seizures of illicit small arms and light weapons.

The second option was to begin with monitoring peace
processes. The move from war to peace is a long-term process
of political, economic, and social transformation. Monitoring
this long-term transformation is critical to sustain a peace
agreement. Monitoring early signals of potential conflict, esca-
lation of violence, and impending humanitarian disasters can
assist in assessing the likelihood of violent conflict in time to
formulate responses.[ii]

IGAD's ability is to play an effective role in the conflict
prevention, management, and resolution arena depends on
its being able to develop a forecasting system to implement
peace agreements in the transition or post-conflict context (for
example, monitoring the success and impact of power-sharing
formulae, demobilization and reintegration programs, and
socio-economic policies). In order to enhance IGAD's work in
this area, CEWARN would need to undertake sustained and on-
going monitoring of conflicts that the organization is involved
in mediating (Sudan) or in which peace agreements have been
signed (Somalia). CEWARN could therefore focus on devel-
oping a monitoring and forecasting capacity using existing
analytic capacity for those involved to use in mediation and
negotiations. Furthermore, a conflict early warning system such
as CEWARN is a critical element of the post-conflict and sus-
tainability period.

Providing interdisciplinary, integrated analyses anticipates the questions and needs of decision-makers (scenario-building, formulation of policy options) and dissemination of analyses. The target group would include personnel actively involved in on-going peace processes (drawn from both Track I and II initiatives) and scholars or specialists in conflicts IGAD is involved in.

While the small arms issue and peace process entry points were in line with selection criteria, the final choice was also based on the scope of each entry point for advancing an integrated (state and civil society) regional institutional framework for peace and security. Based on this approach, it was clear that conflicts in pastoral areas provided the greatest opportunity for laying foundations of such a regional framework. Finally, given that small arms play a key role in conflicts in pastoral areas, it was determined that this issue was indirectly addressed within the entry point of conflicts in pastoral areas along borders.

After extensive consultations and research on existing in-state early warning and conflict management mechanisms, national case studies indicated that several countries had highly developed food-security systems and programs dedicated to addressing conflicts in pastoral areas.[iii] This was the case with the study on southern Sudan and its focus on the people-to-people peace process as well as the Ethiopia, Kenya, and Uganda country studies that outlined the various state, traditional, and community-based initiatives and resources dedicated to this issue. Thus, existing processes were already in place to kick start early warning and conflict management of conflicts in pastoral areas.

CONFLICTS IN PASTORAL AREAS ALONG BORDERS

As stated earlier, the CEWARN design involved the pragmatic acknowledgement that CEWARN is unlikely to have region-wide coverage at this point. Regional politics, particularly the "mutual interference" factor outlined above, illustrate the reasons for this. Cooperation in the field of early earning and

early response is only likely to be achieved gradually, as confidence in the system grows. Confidence building is thus a key component of the CEWARN project. It is for this reason that the mechanism's initial focus is on conflict in pastoral areas along borders. This is an issue that represents a challenge to most governments in the region and, more importantly, one that has led to formal and informal cooperation between governments. In addition, several civil-society initiatives and traditional conflict resolution mechanisms have also been launched to address this issue.

The background of conflicts in pastoral areas across borders has already been discussed in chapter 1 and somewhat in chapter 2. While cross-border clashes between different groups have been a long-standing reality, an effective institutional basis for addressing these conflicts still remains elusive. Thus, a large part of the extended assessment was aimed at exploring existing processes and mechanisms – both governmental and civil society – and ways in which civil-society initiatives and state mechanisms could be integrated to achieve greater impact. The aim was to develop proposals for cross-border conflict early warning, prevention, and management systems along the borders of Ethiopia, Kenya, and Somalia as well as those of Kenya, Uganda, and Sudan that could be linked to CEWARN. Drawing on the conceptual framework developed for CEWARN (see chapter 7), researchers examined the problem's nature and assessed existing mechanisms in the area of conflict early warning, prevention, and management as well as related research and activities undertaken by different institutions and stakeholders in the region.[IV] The assessment presented here in synopsis served as the background for a workshop bringing together civil-society groups, central government officials, and provincial administrators working in the case study areas to develop detailed operational proposals for an integrated cross-border conflict management system.

It should be noted that several precedents for both cross-border cooperation and integrated peacebuilding already exist in the IGAD region. With regard to cross-border cooperation, Ethiopia, for example, has bilateral border mechanisms

for regulating cross-border and inter-state relations with most of its neighbors. In terms of integrated peacebuilding within states, there are several examples: In Kenya, the Wajir approach is often cited as one of the most successful examples of integrated peacebuilding.[V] The secret of its success is the fact that all stakeholders are included in the process – the government (police, military, and administration), civil society, elders, religious leaders, youth, and women. This approach has also been adopted in Ethiopia (for example, Awash Valley) and in Uganda. Peace committees at the district and local levels (for example, Gulu, Kitgum, and now Karamoja) have been engaged in conflict management and peacebuilding activities through decentralized cooperative structures that bring together national, district, civil society, and traditional systems.

This combination of common interest, existing bilateral mechanisms, and resources from civil society and tradition surrounding this issue makes it a suitable entry point. To begin work in this area, two case studies focusing on the Ethiopia-Kenya-Somalia and Kenya-Uganda-Sudan border areas have been carried out. The idea is to activate CEWARN in these two areas, drawing on existing national and local capacities and developing an effective institutional basis for cross-border conflict management in the target areas.

EXISTING AND PLANNED IN-STATE AND INTER-STATE CONFLICT MANAGEMENT MECHANISMS

This section focuses on selected national initiatives aimed at addressing conflicts in pastoral areas along borders.

Kenya

Northern Kenya – an area that stretches from Somalia to the Ugandan border - has been plagued by a long history of insecurity. Most notable have been the increasing levels of livestock rustling and banditry. There is no concrete policy framework to manage pastoral conflicts in Kenya; existing response

initiatives are often characterized by coercive military inter-
ventions by the state, on one hand, and advocacy-type inter-
ventions by civil society (religious organizations being the
most prominent) on the other. Some existing in-state conflict
management mechanisms in Kenya are:

- A recent initiative, run by the Arid and Semi-Aid
  Lands (ASAL) unit, which has received funding from
  Britain's Department for International Development
  (DFID), focuses on conflict reduction activities in ten
  arid and semi-arid land (ASAL) districts in Kenya.
  The project aims to improve pastoral livelihoods and
  plans to draw on traditional/customary mechanisms.
  It aims to work through a decentralized system that
  starts from ASAL's office in the Office of the President
  and runs through the provincial, district, and local
  administration levels and includes peace and devel-
  opment committees.
- Ethiopia-Kenya Joint Border Subcommittee (see dis-
  cussion below).
- The newly formed National Steering Committee on
  Conflict Resolution is housed in the Office of the
  President. Its aim is to establish coordination, collab-
  oration, and networking between government and
  civil society with a view to strengthening and institu-
  tionalizing effective peacebuilding and conflict reso-
  lution strategies and structures. Members of the
  steering committee include selected non-governmen-
  tal organizations.
- Oxfam Great Britain, through its Districts
  Peacebuilding and Conflict Management Project,
  uses relief and humanitarian assistance to alleviate
  poverty and is involved in a "Cut Conflict Campaign"
  to reduce conflicts among pastoralists in the Turkana,
  Samburu, Baringo, Isiolo, Marsabit, Moyale, Wajir,
  and Garissa districts. At the national level, several
  cross-border initiatives have been initiated (for exam-
  ple, Kenya – Somali border dialogue meetings facili-

tated by the Pastoralist Peace and Development
Initiatives [PPDI] and Women for Peace – Mandera).

Several religious organizations focus on livestock rustling.
The National Council of Churches of Kenya (NCCK) plays a key
role here. The NCCK is engaged in a project in which local
councilors play a prominent role. Councilors are viewed as a key
component for the success of peacebuilding initiatives as they
have the advantage of being elected and have access to both the
community and government administration.

POKATUSA Peace and Development Programme – a
Christian-based organization facilitates peace and reconciliation
among the Pokot (Po), Karamojong (Ka), Turkana (Tu), and
Sabiny (Sa) in Uganda.

The Inter-African Bureau for Animal Resources (IBAR) sec-
tion of the OAU pastoralist border harmonization workshops
and meetings have become a significant factor in resolving,
managing, and preventing conflicts among pastoralist com-
munities in the case-study area. Several meetings have been con-
vened under this OAU/IBAR program.vi These cross-border
meetings brought together community leaders from the
Karamajong, Dodoso, Nyakwai, Toposa, Nyangatom, Teso,
Turkana, and Jie ethnic groups to discuss issues affecting their
communities and to lay the foundation for cross-border peace-
building activities.

Participants at a Didinga-Turkana-Topos-Nyangatom
women's workshop in February 2000 decided to take upon
themselves the responsibility for peace and reconciliation
among their respective communities and to discourage mutual
livestock theft, livestock rustling, and raiding among the com-
munities.

The Kenya Pastoralists Parliamentary Group (KPPG),
although not a formal organization, is a high-powered pressure
group that includes cabinet ministers and parliamentarians. It
works to combat social and economic neglect as well as mar-
ginalization of pastoral communities. Its efforts are gaining
momentum locally, and it has growing links with parliamen-
tarians in Uganda and Ethiopia. Aside from conflict manage-

ment and resolution, the group has been involved in providing social services and developing physical infrastructure projects (roads, communications, trade, etc.) in pastoral areas.

Sudan

The level and intensity of pastoral conflict in Sudan is exacerbated by the long-running civil war. Even prior to the war, pastoral communities were marginalized. The Sudanese People's Liberation Movement (SPLM) is the authority in the case study area. It has not developed a strategy for managing pastoral conflicts. As in Kenya, conflicts between the Toposa and their neighbors (the Didinga, Boya, and Turkana) are mainly mediated by religious organizations and NGOs. Some existing in-state conflict management mechanisms and initiatives in the southern Sudan are presented below:

- The Catholic Diocese of Torit is involved in resolving conflicts among the Toposa and between the Toposa and the Didinga/Boya communities. This initiative has been supplemented by the peace and reconciliation meetings undertaken by OAU/IBAR, mentioned above. These also include Kenyan and Ugandan pastoral communities.
- The Toposa Development Association (TDA) was established to promote development initiatives among the Toposa. Peacebuilding falls within the organization's overall objectives, and the TDA therefore cooperates with OAU/IBAR in mobilizing Toposa chiefs, elders, women, and youths for pastoralist border harmonization meetings and workshops. There is a strong and positive relationship between the TDA and the local county administration.
- The "People to People" peace process, started under the auspices of the New Sudanese Council of Churches, empowers traditional leaders and chiefs, whose authority has become increasingly eroded and undermined by the central authorities. Until recently,

the SPLM/A itself did not recognize the chiefs' and local leaders' authority in the areas under its control. Now it has come to realize that traditional methods of conflict resolution and peacebuilding are a critical element in maintaining unity and harmony among the southern people.

Uganda

Various Ugandan governments have sought solutions to the problem in Karamoja. Responses have ranged from subjecting the area to heavy military patrols, forced confinements, and relocation to convening peace meetings and conferences that created community-based peace committees at various levels of the Karamoja administrative structure. The Ugandan government works with various civil society organizations and international agencies engaged in peacebuilding and development in Karamoja. It has supported efforts towards peace through active participation in dialogue, providing security to resource persons and participants in such meetings, broadening and giving moral support to such efforts. Some in-state conflict management mechanisms in Uganda are presented below:

- The National Resistance Movement (NRM) government has attempted to address problems in Karamoja by establishing the Karamoja Development Agency (KDA). The main objective was to have the agency spearhead development in Karamoja by diversifying and improving social production and the physical infrastructure for delivering social services.[vii]
- The Ministry of State for Karamoja. The ministry coordinates development work in the area and organizes conferences, workshops, and forums where Karamojong elders, youths (warriors), the local elite, government departmental heads, NGOs, and political leaders within Karamoja and from neighboring districts meet to discuss various issues pertaining to peace, security, and development. At the intergovernmental level, the Ministry of State for Karamoja has

coordinated with Kenya's government through its members of parliament from the western region and has discussed with them various strategies to avert conflict.

Churches have played an important role in the politics and development of Karamoja – and specifically in the area of peacebuilding. Some recent examples include efforts by the Nabilatuk Roman Catholic Church to address negative traditional Karamojong values (for example, warrior pride in body markings to show how many people one has killed) and livestock raids. The Kotido diocese works with kraal leaders to engage in dialogue and share resources with their neighbors. One church's most recent efforts resulted in an agreement between the Jie and Bokora in March 2001 and the Acholi and Jie peace agreement, which enables the Jie to graze their stocks on Acholi land. The Lutheran World Federation (LWF) has been instrumental in sponsoring some peace meetings between warring Karamojong groups.

Oxfam Great Britain, the Karamoja Initiative for Sustainable Peace (KISP), a local NGO, and World Vision International all work towards peace in the region. They have encouraged and supported formation of community-based organizations (CBOs) such as the Matheniko women's group.

Similarly Pokot and Pian women are also mobilizing and becoming active in peacebuilding in their communities.

Ethiopia

In Ethiopia, as in other countries, one factor that makes border security problems particularly difficult to deal with is the general weakness of administrative structures in border areas. As such, maintaining peace at borders is virtually unthinkable without the involvement and participation of civil-society organizations – be they modern or traditional. Models of intervention to deal with problems of inter-group conflict are not lacking in this region, although they cannot be said to have worked as well as one would hope, and the challenge is to harness their strengths into a coherent policy framework. Some existing mechanisms are outlined below:

- A Joint Peace Committee model already exists to deal with conflicts between highlanders and lowlanders in the Awash Valley. Here the Federal Republic of Ethiopia established a joint peace committee to deal with conflicts between the Afar and Issa over the issue of access to resources.
- The annual development conference involving the three regional states of Somali, Dire Dawa, and Oromia exists as a mechanism regarded as a first step toward creating a cooperative framework within which land-related issues are handled by first engaging in confidence-building measures to facilitate formulation of joint development projects. This has existed for more than three years.
- Another approach that may not qualify as a conflict resolution mechanism but has implications for such efforts is an arrangement involving the Amhara and Tigray regional states in extending technical assistance to the Afar regional state in the areas of agriculture, soil conservation, and irrigation. This too must be viewed as a confidence-building measure designed to minimize inter-state suspicion. The belief is that sustained levels of cooperation could, in the long run, minimize suspicion and mistrust, paving the way for collaborative problem solving.

ASSESSMENT OF INTRA- AND INTER-STATE CONFLICT MANAGEMENT MECHANISMS

It is clear from the above that numerous efforts function on the ground at both the micro and macro levels. This indicates that some commitment exists to addressing the widespread conflicts in these areas. Nonetheless, there are some weaknesses. Though referred to in earlier chapters, they are reviewed here and considered from the perspective of challenges to developing a conflict early warning, prevention, and management system

for conflicts in pastoral areas along borders.

Even taking efforts in Uganda and Kenya into account, there is a conspicuous absence of policy frameworks that comprehensively address pastoral conflicts in the region. This lack of appropriate policy leads to aggressive state intervention in the pastoral areas that further alienates communities. Aside from these inappropriate interventions, the state is virtually absent in many border areas we have focused on. Thus, the fate of pastoral communities has largely been left in the hands of civilians – whether national, regional, or international actors – working directly with the communities concerned. Programs undertaken by civilians inevitably address only the symptoms of these conflicts as root causes of pastoral conflict relate to governance, as discussed in chapter 1. The state's absence in many of these initiatives constitutes a serious weakness – as development challenges in pastoral areas relate to the inability (or some might argue the disinclination) of the state to deliver services and allocate resources equitably. The prevailing concern in the state's response to pastoral conflicts is that of security. This also informs analysis of the sources and dynamics of pastoral conflicts, inevitably disconnecting these conflicts from their cultural dimensions and structural causes, including injustice, marginalization, and exploitation through unequal exchange.

Another critical weakness linked to the state's absence, is that management of pastoral conflict is increasingly "donor driven." Pastoral conflict has a serious bearing on security, law and order, and good governance in general. The state's role in ensuring security for its citizens has been increasingly eroded, leaving matters relating to security to donor-driven forces – mainly relief aid and short-term projects. This is clearly a major weakness. There is also a threat to the sustainability of such policies, particularly when funding is withdrawn or donors develop new agendas.

The studies have revealed the presence of several organizations (national, regional, and international) in the area of pastoral conflict management. The efforts of these organizations remain uncoordinated, even at the district or sub-district level. Hence their impact remains minimal in policy terms.

Furthermore, involvement of so many actors in such complex situations could be a source of conflict among pastoral communities because of the differing agendas and signals being sent out at the same time by various NGOs. The humanitarian intervention in south Sudan is an example of too many NGOs and UN agencies being involved with little visible improvement in the plight of those affected. Instead, it has made them more vulnerable and dependent on relief. Thus the stampede to participate in pastoral conflict management and transformation by NGOs and other international actors, who may lack substantive knowledge of the issues, could be a serious weakness and a threat to peacebuilding in the region.

As discussed in earlier chapters, any functioning conflict early warning prevention, and management mechanism must be based on solid and comprehensive methodology – coordinating collection and analysis of information for proactive not reactive measures. With regard to some mechanisms outlined above, information is not collected systematically, analysis seems *ad hoc* at best (or absent altogether), and neither reaches policy makers assigned to respond to the situation. This makes all mechanisms reactive rather than proactive in the sense of early warning and conflict prevention.

Aside from these weaknesses, the case studies also outline some key initiatives and institutional capacities that could function as critical resources in establishing CEWARN. These are presented in the following section.

A DECENTRALIZED INTEGRATED CROSS-BORDER CONFLICT MANAGEMENT SYSTEM: THE PROSPECTS

As already discussed, CEWARN focuses on developing an effective institutional base for a cross-border conflict early warning, prevention, and management mechanism. The case studies outline three existing mechanisms that could contribute to establishing a CEWARN, as they feature important criteria (principles) outlined as vital for a functioning conflict early warning, prevention and management system.

Cross-border Harmonization Meetings in the Karamojong Cluster

The OAU/IBAR has been involved in control of animal diseases (eradication of rinderpest). The unit's operations were constrained by widespread insecurity in the area. As a result, the unit was forced to work with communities to address the wider issues. Lack of peace was identified as the key obstacle to area development. IBAR facilitated a series of cross-border elders meetings, bringing together community leaders from the Karamajong, Dodoso, Nyakwai, Toposa, Nyangatom, Teso, Turkana, and Jie ethnic groups. Over a period of nine months, a series of community leader workshops took place. At the end a four-day meeting took place in Lodwar, Kenya, bringing together government representatives from Uganda, Kenya, and Ethiopia, international agencies, and NGOs.

These meetings provide an important precedent for the nature of cross-border conflict management. Efforts to identify the root causes of conflict in the cluster were based on cross-border community dialogue. These cross-border meetings are an untapped source of information and analysis for policy-makers engaged in pastoral conflicts in border areas. Yet this process has remained largely outside official decision-making and policy channels, and its impact is therefore minimized. Recognizing this, a key recommendation emerging from the Lodwar meeting was the need for a specialized peacebuilding organization that could provide a more comprehensive framework to take over the process.

Given that peacebuilding did not fall within IBAR's mandate, the unit was assigned to identify an appropriate organization to engage in sustained peacebuilding activities based on the solid foundations already created by the cross-border harmonization meetings. IGAD was approached to provide the institutional foundation for further peacebuilding initiatives. By developing CEWARN, IGAD is in a position to integrate this initiative with provincial administration systems and a wider regional early warning and conflict management framework, thereby contributing to the initiative's effectiveness.

Peace and Development Committees

The most established and well-known initiative is the Wajir Peace and Development Committee (WPDC).[viii] The WPDC emerged in response to the alarming increase in violence in northeastern Kenya. WPDC combines several local groups – the Wajir Women for Peace, Youth for Peace, and Elders for Peace. The WPDC was formed as a coordinating committee in 1995. It served as a subcommittee of the District Development Committee, a government-mandated body composed of representatives from the district administration, NGOs, and civil society. Here the district commissioner acts as facilitator in a process that brings together elders, religious leaders, politicians, women, and the private sector. Regular meetings are held where information is shared on the state of district security. Whenever problems arise, the committee deliberates and makes decisions on who should intervene and how.

Intervention is usually by elders using traditional mechanisms. Government resources are usually deployed to support these traditional methods, for example, by providing transport to enable rapid response (immediate deployment of elders to unstable areas in the district). The Wajir approach is often cited as one of the most successful examples of integrated peacebuilding. The secret of its success is the fact that all stakeholders are included in the process – the government (police, military, and administration), civil society, elders, religious leaders, youth, and women.

This approach has been replicated elsewhere and led to the establishment of several other local peace committees in Gulu, Kitgum, and Karamoja. In Ethiopia, the joint peace committee approach was used as a method to resolve conflicts between the Afar and Issa over access to the Awash River. These local initiatives serve as building blocks for decentralized and integrated mechanisms to manage and transform cross-border pastoral conflicts. These are already in place, and what they require is respective state recognition, support, and encouragement as well as stronger mandates. This has already been achieved in Kenya and Uganda through active and effective participation by the Pastoralists' Parliamentary Group (PPG)

and enlistment of support from senior ministers such as Uganda's minister of state for Karamoja. In Ethiopia, the Prime Minister's office has mediated in several pastoral conflicts (for example, talks addressing the dispute and ill-defined boundary between the Somali State and the Borana Zone in October 2000).

Joint Border Subcommittee

Cross-border security concerns in the Horn have usually been dealt with in the framework of bilateral state mechanisms. For example, Ethiopia has bilateral border commissions with all of its neighbors. Some of them have fallen into disuse, while others are highly developed and active. Kenya also has bilateral security arrangements with most of its neighbors although these have not been institutionalized and take place intermittently when the need arises.

These mechanisms, as the name suggests, have remained mainly between states and have not engaged with civil society in any sustained manner. Furthermore, whether institutionalized or not, these mechanisms are overwhelmingly crisis-oriented. Cross-border meetings are usually convened following cross-border incursions and violent clashes. These systems are not anticipatory or geared toward preparedness and timely response. Instead, the focus is on retrieving stolen livestock rather than preventing raiding and on carrying out intermittent (usually unsuccessful) community disarmament campaigns.

Even where they espouse the principles of decentralization, bilateral structures are characterized by a top-down decision-making culture. While the Ethiopia-Kenya joint border subcommittee decided in June 2000 to include district level representation to its structure (incorporating community representatives), decision-making often takes place at the center without taking local perspectives into account. Devolved and inclusive decision-making continues to elude most government systems. The instances in which decentralized and integrated decision-making (the state and civil society) take

place are few and far between, occurring on an *ad hoc* basis without solid institutional foundations. The Wajir Peace and Development Committee is a key example of this type of innovative, yet *ad hoc*, cooperation between civil society and government.

Given the hostile nature of government and community relations in many border areas, it is unsurprising that the state is very often incapable of responding to crises effectively. A conflict early warning system depends on the availability of information. Early warning information is usually gathered through local networks. When relations between local communities and governments are tense information channels that might normally be open and enhance prospects for state-civilian cooperation in these areas are compromised.

THE ROLE OF *CEWARN*

Despite the fact that there are no formal and official early warning systems for pastoral conflict in the region, case-study findings indicate that local communities are often aware of an impending raid before it occurs. As we have seen, governments are often unable to access this information. Thus, there is a need to develop a more effective system of gathering, processing, and analyzing such information. The key to an effective system depends on collaboration between communities and governments.

While broad issues revolve around resource competition (particularly land, and the lack of livelihood-specific development initiatives that are sophisticated and holistic enough to navigate the cross-border dimension of this issue), many resources involve mediation efforts by provincial administration systems, local governments, foreign ministries, and community-based as well as inter-state actors.[ix] All these should be engaged to support ongoing local or traditionally located initiatives.

While the strengths of these grassroots mechanisms are clear, it is important not to romanticize the extent to which these mechanisms can deal effectively with conflict. Their capa-

bilities can be incorporated immediately into the planned CEWARN system. Indeed, chapter 2 highlights the widespread decline in the ability of such mechanisms in the face of political change and the escalating scale and nature of conflicts (although this may vary from locality to locality). A key challenge for CEWARN, which envisages drawing on such mechanisms, is how to arrest this decline and incorporate the dynamism of these mechanisms without undermining or diluting them. This challenge is likely to run alongside each stage of CEWARN's development and functioning. It needs to be highlighted continuously to ensure that the difficulties of encouraging greater collaboration and integrated action are never underestimated. These problems are likely to remain throughout CEWARN's implementation and operation.

Finally, it remains to be seen if CEWARN will address structural causes of pastoral conflicts effectively. These structural causes are based on the long history of marginalization that has characterized the relationship between pastoral communities and the state. Addressing conflicts in pastoral areas requires examining the governance structures and development paradigms that have influenced state action (or inaction) in these areas. Any project aimed at addressing structural causes necessarily involves a re-education component to transform attitudes that have shaped government policy in pastoral areas. This is by definition a long-term project.

NOTES

i   Nairobi Declaration, March 2000
ii   See Kofi Annan, "The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa. UN Secretary-General's Report on Causes of Conflict in Africa (New York: United Nations, 1998).
iii See project timeline (Appendix B)
iv The Organization of African Unity/Inter African Bureau for Animal Resources (OAU/IBAR) *Pastoralist Harmonization Meetings/Workshops* in Lodwar, Kenya 2000 and Mbale, Uganda 2001. The Association for World Education (AWE) Uganda National Chapter, research on the Mbale region *The Transformation of Cattle Rustling and Conflict in Northeastern*

Uganda and the Search for Participatory Solutions (Uganda, 2000). Centre for Conflict Resolution (CECORE), *African Traditional Methods in Conflict Resolution, Reconciliation and Forgiveness'* (Uganda, ongoing program). The New Sudan Council of Churches (NSCC), *People to People Peace Process* in the *Southern Sudan* (Sudan, ongoing program). The research efforts undertaken by Action for Development of Local Communities (ADOL) on *The Impact of Small Arms on the Population in Kitgum and Kotido districts of Northeastern Uganda* (Uganda, ongoing program). The SALIGAD/ BICC research project on *Curbing the demand side of small arms and light weapons in the IGAD countries* (Nairobi, Kenya, ongoing program). The Oxfam District Peacebuilding and Conflict Management project covering ten districts in northeastern Kenya, and its poverty alleviation program: *"Cut Conflict Campaigns."*

v   The Wajir Peace and Development Committee

vi   Jie – Matheniko – Dodoth – Turkana Youth Border Harmonization meeting held in Kakuma, Kenya, February 7-9, 2001. The Pokot – Tepeth – Matheniko – Turkana Youth Border Harmonization meeting held in Lokichar, Kenya February 26-28, 2001.

vii Government *Statute 4 of 1987*

viii Statue 4: Karamoja Development Agency Statute, 1987, Government of Uganda

ix   For more detailed studies of this initiative see Janice Jenner and Dekha Ibrahim, *Voices of Local Peace Initiatives: Kenya Peace and Development Network* (Wajir Peace and Development Committee, National Council of Churches of Kenya and Amani People's Theatre, October 2000); and Stephen Ndegwa, "Impacts of Peacebuilding Initiatives in the Greater Horn of Africa," (USAID/MSI—Management Systems International project, 2000).

x   For example, targeted at pastoral communities

CHAPTER 7

PRINCIPLES OF THE CEWARN MODEL

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INTRODUCTION

In designing an early warning and response mechanism, the tasks are two-fold: On the one hand, the design of an information collection, analysis and communication system; on the other hand, the design of a response or decision-making structure that acts on early warning analyses produced by the system. This chapter is concerned with presenting both aspects of the CEWARN model and focuses on the analytical considerations behind the model choice as well as presenting the main principles of CEWARN.[1] The next chapter provides the model's legal foundations. Both chapters together present a complete picture of the proposed model.

"HARD" VERSUS "SOFT" EARLY WARNING SYSTEMS

Chapter 3 outlined the important distinction between early warning and intelligence. These ideal type distinctions are mirrored in various types of early warning systems necessitating an initial decision on CEWARN's degree of openness.

A "hard" intelligence-oriented system (HEW) is asso-

ciated with traditional systems of intelligence gathering commonly oriented toward strategic security concerns of states to protect their own national interest. A "soft" humanitarian early warning system (SEW) requires an information and analytic base that stresses human rather than strategic security and the welfare of all stakeholders based on information and analyses developed in a transparent system rather than in a closed one, although the information distributed may be classified and restricted to different levels of users.

As traditional intelligence systems rely on secrecy, situation rooms, and encrypted communications of highly classified information, a HEW modeled after it will be highly centralized and depend on in-house information collection and analysis with extremely limited levels of access. This is very different from a SEW that is highly decentralized and depends on significant involvement of civil society for information input and analyses (research units in universities or think tanks), yet with specific standards for information collection and analysis. As information for early warning must be timely, accurate, valid, reliable, and verifiable, a SEW based on an open system has the advantage of using its networks of interested organizations for these purposes. These practices permit users to judge the source's credibility and, to some degree, the authority of the analysis for themselves. This tends not to be the case in a HEW model where classification of information limits access, thus making verification by outsiders far more difficult.

In the two models, even analytical understandings tend to differ. HEW presumes that structures and rhythms leading to conflict fit into a pattern of law-like propositions. By identifying certain types of conditions, these laws allow us to anticipate the probability of a crisis and indicate the most suitable means of intervening in the pattern. This treats early warning and development of conflict like a hard science with clear and unequivocal predictions, since military interventions should only occur in clear-cut cases. In contrast, SEW *anticipates* rather than *predicts* probable outcomes, as its preventive idea is based on long-term planning involving non-military initiatives often

linked to or managed by civil society. It is dynamic, context-sensitive, and involves mostly qualitative analysis. For SEW, identification of existing traditional or locally rooted initiatives is the first step in developing scenarios for response. "This might seem a rather obvious point. It is, however, one continuously overlooked in favor of external frameworks and strategies. The objective, then, is to draw on and support the tools at hand within a particular local context. Articulating the existence of various traditional or local mechanisms is a first step towards this goal," for it is critical that synergies are forged among actors at various levels of power and authority.[11]

It should be clear from the above that the two models are very different in terms of capacities and approach (both institutional and analytical). The geographical scope may also differ with a very outward-oriented HEW tending to focus on countries other than themselves, while SEW can be applied to monitor internal (regional) developments. Given the initial tensions between intelligence models rooted in concerns with state-security and early warning models focused on human security, new initiatives in this area must proceed with caution and be brought into a synergistic dialectical relationship. The initial issues to tackle must enhance the possibility of creative interaction between a CEWARN system of early warning and conflict management geared to human security and state intelligence structures geared to state security.

Yet the two systems can and should be viewed as complementary wherein the role proposed for IGAD is seen as adding value to the more traditionally intelligence-oriented OAU initiative on early warning and conflict management (situation room, encrypted communication, high degree of secrecy; see chapter 4). Similarly, state-based early warning and conflict management systems that parallel the IGAD-based CEWARN system are intended to complement state-based systems of intelligence collection serving the prime goal of state security. The ultimate challenge may be balancing potential competing requirements between the two systems (a challenge that should diminish over time), so that concerns for state and human security together provide a very comprehensive regional peace

and security system. Table 9 provides a summary of the characteristics of a SEW model versus the HEW alternative.

Table 9. "Hard" Versus "Soft" Early Warning

	HEW	SEW
Methods	Quantitative	Qualitative
Goals	Prediction	Anticipation
Formulation	Universal Laws	Context-dependent
Results	Universal Pattern	Dynamic Patters
Concerns	Strategic Security	Human Security
Information Base	Secret	Transparent
Institutional Base	Centralized	Decentralized

Interventionist (Top-Down) Versus Facilitative (Bottom-Up) Model

Parallel to the distinction between "hard" and "soft" early warning, we can further differentiate an interventionist ("hard") and facilitative ("soft") model of conflict management. The previous two chapters distinguished between a top-down and bottom-up approach (favoring the latter). Following from this discussion, one approach to conflict early warning, prevention, and management can be based on coercive power, formal authority and material influence – an *interventionist* model.[iii] Thus, when countries refuse or are unwilling to cooperate, a regional organization can intervene militarily much as the North Atlantic Treaty Organization (NATO) did in Kosovo. Short of that, a regional organization (such as the EU) can use its formal authority, assigned by treaty, to require compliance with the regional body's dictates. But most of the time a regional organization with the EU's legal power need not use its formal authority but can simply use economic inducements or penalties (sanctions) to insist that its members fall into line with the community's overall norms.

In an interventionist model, the most extreme form of

intervention generally determines an early warning system's requirements. Hence, a system based on coercive power, formal authority, or economic inducement and sanctions would require a large analytical capacity for all parts of the Horn, a satellite surveillance system, and the capacity to track every outside source as well as internal factors that could contribute to develop violent conflict. IGAD is simply in no position to develop and employ the more costly and complicated intelligence model of early warning that depends on its own sources of information-gatherers and analysts.

A facilitative model, by contrast, tends to focus on long-term policy changes based on close cooperation with state institutions other than the military. But it also nurtures cooperation with civil society initiatives focused on building strong institutional mechanisms that can cope with crises situations and manage conflict. Thus, the stress is on persuasive ideas, expertise, and sheer creativity, making conflict management much more dependent on the quality of early warning information, analysis, and scenario-building options.

The early warning and conflict prevention mandates integrated into ECOWAS, for example, are modeled after a top-down approach that fails "to engage and support local, alternative mechanisms for conflict prevention that very often exist and function at the grass roots level" (see chapter 4).[iv] Bottom-up approaches have the advantage of being context-specific rather than applying more universal approaches and standardized forms of response mechanisms. Nevertheless, as mentioned before, a synergy of these systems is desirable in order to benefit from the comparative advantage of each. Thus, IGAD's CEWARN needs to develop interfaces with other regional early warning systems.

REGIONAL REALITIES

Aside from these more fundamental "philosophical" reasons for choosing any specific model, a realistic assessment of regional realities as well as IGAD's resources also contributed to the final model proposed for CEWARN. Chapter 6 already

provided a good overview of regional realities and capacities in the entry point area. In addition, as noted above, IGAD has none of the capacities comparable with those of other regional organizations such as the EU or NATO. These are based on coercive power, formal authority, economic inducements, and sanctions. Using such resources, an early warning system would entail creating a mini-CIA/-FBI combined with networks of direct agents providing source information. IGAD is in no position to employ the more costly and complicated intelligence model of early warning. Thus, IGAD and its member states will have to rely on the use of creativity and influence, enhanced by analysis and skills based on expertise. They must *facilitate* the establishment of common rules and legal regimes rather than rely primarily on material inducements, formal authority, and means of coercive enforcement.[v] IGAD must develop authority based on the objectivity of its reporting, the insights of its analysis, and the efficacy and practicality of its recommendations for action.

Moreover, IGAD and its member states *are* in a position to develop forums for civil society, community-based organizations, relevant NGOs, etc., to enable active participation of these sectors in promoting peace, good governance, and regional economic cooperation.[vi] This means that CEWARN must foster cooperation among its member-state governments, *enhance awareness of crisis prevention and civil society conflict* resolution, and promote dialogue between the IGAD secretariat and NGOs as well as between governments and civil society. CEWARN must link up with other sub-regional organizations, other regional organizations like the OAU and the EU, and with the UN. Thus, as emphasized earlier, this proposal views IGAD's role as complementary rather than in opposition to the OAU's developing role, but with a much greater reliance on civil society.

THE ROLE OF CIVIL SOCIETY

Even though lessons learned in conflict early warning, prevention and management (see chapter 3) emphasize collaboration that goes beyond traditional state actors, relations between governments and civil societies are often precarious and require trust. Civil society activity in the IGAD region varies greatly from vibrant in some member states to weak and arguably nonexistent in others. Furthermore, capacities and inter-personal or inter-organizational networks are often weak. There can be excessive competition, even between the very limited number of existing NGOs. This could obstruct information sharing and cause duplication of efforts. At times communication channels are severely disrupted or controlled by polarized political groupings (or by the state), isolating and excluding civil society from the regional policy-making process; for example, human-rights protection NGOs and conflict-monitoring organizations lack sufficient leverage and convening power to take part in policy-making processes. Member states may even see civil society not as partners but competitors or potential opponents. Hence there is often no common basis from which to engage in cooperative action at a regional level.

Nevertheless, important civil society initiatives (and cooperation between the state and civil society) in promoting peace, good governance, and regional economic cooperation do exist, especially at the chosen entry point — conflicts in pastoral areas along borders (see chapter 6). Most importantly, however, the Khartoum Declaration, of November 2000 (see Appendix C), marked a shift away from traditional IGAD functions and opened the door to creative and fruitful cooperation between the state and civil society that has remained undeveloped so far. The advantage of integrating civil society into CEWARN can be summarized as follows:

- IGAD (national governments) and civil society often share similar areas of concern (such as population displacement, humanitarian assistance, economic empowerment, trade, resource use, cross-border live stock movement, and human rights).

- Some NGOs already work together with governments, albeit in an ad-hoc manner.
- The multi-dimensionality of problems and their solutions are best addressed in a collaborative manner.
- IGAD could act as a facilitator of cooperation between civil society and government; it could fill a critical niche here.
- IGAD could benefit from the fact that civil society groups often work at the grass roots level and thus have levels of access that could significantly enhance government action.

Yet it is important to realize the limitations that such envisioned collaboration holds. "Civil society networks, while providing critical perspectives and insights into conflict situations, are limited in that they often lack sufficient influence within official channels, particularly when excluded from decision-making processes which determine whether or not action will be taken and in what form."[vii] It is critical to have direct lines of communication with the relevant local national and regional institutions that can act on the basis of early warning information. Exclusionary lines of communication virtually guarantee the failure of response-oriented action.

In light of the above, even though direct linkage between civil society and CEWARN may seem difficult at first, the benefits outweigh the concerns. The model proposed for CEWARN is based on an inclusive system that integrates civil society (at the national level) into the processes of information collection and analysis as well as decision-making. This is important, as it implements the spirit of the Khartoum Declaration and builds a solid foundation for a more comprehensive approach to peace and security in the IGAD region.

OPTIONS FOR CEWARN

Following the criteria outlined in previous chapters and discussion in preceding sections, we clearly prefer a "soft" early warning model based on a bottom-up approach and a

facilitation role. This corresponds to findings that successful conflict early warning, prevention, and management are built on the pillars of transparency, information sharing, and collaboration in analysis and response. There are still three sub-options in choosing a SEW:

1. *A centralized integrated model*
   - hires its own local monitors,
   - collects all information,
   - undertakes its own analysis, and
   - builds scenarios and options.

2. A *quality-control/dialogue model*
   - relies on others to collect information,
   - introduces and emphasizes quality control re: information,
   - engages independent institutions to undertake analyses,
   - initiates investigations in very specific areas but only when authorized, and
   - sets standards for documenting, formatting, communicating, and reporting.

3. *A passive model*
   - relies on others to collect and analyze all information and simply passes those analyses and scenarios on to the IGAD secretariat.

Considering the IGAD secretariat's existing resources and the immense cost of the first choice plus the fact that it is based on a more top-down model (we have already emphasized the advantages of a facilitative model in the previous sections), a centralized SEW model is not a real option. Neither is the third option, as it goes to the opposite extreme, removing all responsibility from the IGAD secretariat, nearly completely detaching early warning from decision-making procedures. As the likelihood of response tends to be greater when there is a clear link between those who warn and those who respond, a completely outsourced model would increase the warning-

response gap and set CEWARN up for failure unless clear linkages are provided from the outset.

In light of these considerations, the quality control/dialogue model seems to be the most feasible and desirable option for IGAD to pursue in establishing CEWARN and building a reputation in the field of conflict early warning, prevention, and management. This model captures most of the requirements proposed in the assessment phase presented earlier in this chapter, as it

- is feasible in terms of resource inputs,
- avoids false expectations that are unlikely to be fulfilled,
- reinforces networking within and among states instead of a simple top-down approach,
- fosters an environment of cooperation and civil society conflict resolution,
- is based on dialogue and therefore relies on direct communications and workshops,
- is flexible in terms of information and communication skills required,
- is process-oriented and focused on the whole life cycle of a crisis and not just the outbreak, and
- implements training programs and roundtables.

Within such a model IGAD, through CEWARN, should define itself as a facilitator rather than an implementer and develop close links to existing in-state mechanisms – CEWERUs (Conflict Early Warning Response Units) – driven by both government and civil society. These CEWERUs provide the foundation by developing accessibility to data and analyses (see chapter 8 for detail). IGAD would move toward an early warning and conflict management system that draws on and supports local capacities for conflict management and peace building and creates linkages with policy-makers. The development of CEWARN is process-oriented, taking into account the difficulties of undertaking comprehensive early warning and conflict management activities that cover all areas and issues.

A system developed according to such a model depends on strengthening in-state capacities for direct monitoring, information collection, and conflict analysis while IGAD enhances the formats, communication systems, and cooperative or collaborative mechanisms. Thus a critical part of the process involves building capacity primarily at the national level. A more detailed description is provided in the following sections. The quality control and dialogue-based approach is a far from undistinguished role, as it parallels that of the Organization for Economic Cooperation and Development (OECD), which has been described as a forum for objective, skilled, and independent dialogue, which permits a thorough understanding and true assessment of the problems posed in today's increasingly complex world.[viii]

THE PROPOSED *CEWARN* MODEL

While chapter 8 discusses the protocol for establishing CEWARN and provides a much more detailed depiction of institutional structures and system requirements, it is important to lay out principles in the areas of information sharing, analysis, and decision-making that lead to the suggested structure. As mentioned in the introduction, the references made here are to the draft protocol in Appendix F and not the final protocol in Appendix G as it was not finalized after this chapter was drafted.

The Coordination of Information Collection, Sharing, and Analysis

The choice of a "soft," bottom-up, and facilitative approach to CEWARN, emphasizing the pillars of transparency, information sharing, and collaboration, already set the stage for the role IGAD through CEWARN will play in the area of information collection and analysis. Given the IGAD secretariat's institutional and resource constraints and the fact that any regional organization receives its strength from its member states, it is clear that the primary task to collect and analyze

information should rest with member states. This does not necessarily imply that state actors will perform these tasks, but simply that most responsibility will rest outside the secretariat. CEWERUs will be assigned to collect relevant information (including liaison with civil society involved in collecting information at the grass roots level), to communicate to CEWARN afterward, to conduct preliminary analysis of this information, and to establish periodic early warning reports.[ix] CEWARN then becomes the link between IGAD and the individual member-state CEWERUs.

As emphasized earlier, collaboration between state actors and civil society (and relevant international organizations) in the area of information collection and analysis is key in a "soft," transparent, and cooperative system. Due to its proximity to the grassroots level, civil society often has timely access to information that states may struggle to obtain. Similarly, states often have access to information denied to civil society. Thus a combination of both seems to provide for a comprehensive information base. In order to maximize this collaboration, each member-state CEWERU will consist at minimum of a mix of representatives from government, provincial administration, and civil society. Despite this open sharing of information in the public domain, member states have the right to limit access of information that they consider too sensitive or within the realm of national security. The supplementary draft protocol on cooperation in information sharing (see Appendix F) discusses information-access clauses in Articles 14-15.

Aside from these classified levels of access to specific information depending on source and content, the system is envisioned to be open and transparent. Thus there would be no use of cryptography or attempt to ensure a totally secure intelligence environment. In order to assure appropriate levels of information sharing, a committee on information sharing should be established with the following purposes:[x]

- Review periodically the functioning of CEWARN
- Promote cooperation between member-state CEWURUs

- Promote cooperation between CEWERUs and CEWARN
- Arbitrate any disputes that may arise between CEWARN and the secretariat on information sharing
- Recommend any amendments to this protocol
- Approve users of information suggested by the secretariat

CEWARN would be assigned to become the most effective voice for accuracy in handling and disseminating information. The foundation for this role can be established by setting standards for information and building a capacity to verify samples of information, particularly in cases where misinformation could exacerbate the potential for violent conflict rather than mitigate it. IGAD can also use this role to promote dialogue on information and analysis as the basis for establishing cooperation and an orientation to peace in the region.

Similarly, while state actors can perform analysis by definition, their proximity to policy making may bias their analysis toward those actions that are feasible and politically acceptable. Thus, in order to assure a more unbiased and neutral analysis that can draft a wide range of policy recommendations, it is best if analysis is out-sourced to regional research centers with precisely such analytical capacity. IGAD and CEWARN can then function in promoting linkage between the analysis (warning) and response sides of early warning. Providing such crucial linkage (access to high-level decision-makers) is sometimes even more important than good analysis, as it provides the final and often missing link between warning and response.

In light of the above, the focus of a transparent system based on information exchange and collaboration on research, but also linking collection and analysis of information with those sectors assigned response capabilities, makes a conflict early warning, prevention and response system comprehensive in focus. The draft supplementary draft protocol on cooperation in information sharing (see Appendix F) takes these concerns into account. In doing so, it creates an institutional base for a comprehensive system, in sum, as a facilitator, IGAD

would be responsible for

- acting as a central facilitator for information sharing,
- identifying users of information processed by CEWARN and their needs,
- developing guidelines for information users in consultation with the committee on information sharing,
- developing common practices on information handling, management, and exchange,
- acting as a clearinghouse for information,
- promoting capacity building for member states in information analysis,
- setting standards of information collection, reporting, and documentation,
- establishing common formats for reporting on conflict early warning,
- serving as a shared Internet communication center for CEWERUs,
- establishing summary reporting mechanisms,
- creating and maintaining a system for distributing and sharing information and analysis among member states,
- administering the documentation center established by article 8 of the protocol establishing CEWARN,
- training staff of similar centers established in the CEWERUs, and
- facilitating information sharing and analysis.[xi]

To accomplish these tasks, CEWARN should be composed of a lean team of specialists including one official responsible for liaising with governments, international organizations, and other organizations relevant to CEWARN; one official responsible for coordinating information and securing appropriate training to CEWERU staff; and finally one official responsible for conducting conflict analysis and management.

With regard to further linkage, CEWARN should be connected to existing information sources that focus on the variety of factors that contribute to social and political conflict

such as: food security; migration and population movements; animal and human epidemics; border security; climate change and sudden catastrophic environmental events. In order to achieve such wide coverage, there is a need to ensure that collecting and analyzing information for conflict early warning, prevention, and management purposes is not isolated from other IGAD functions but integrated with them, so that CEWARN reinforces IGAD's other work – especially in the area of famine early warning, an effort given extensive attention in the past. The link to famine early warning is also desirable given the roots of humanitarian early warning (see chapter 3).

Decision-Making in CEWARN

A key challenge in establishing a regional conflict early warning and response mechanism is that of developing an institutional architecture that fosters regular in-depth regional consultation and informed decision-making on conflict issues. To date, IGAD's decision-making structure has not evolved to match its revitalized mandate. Thus we find no adjustments to existing structures or any development of specific decision-making structures dedicated to promote the organization's CPMR mandate. This is the *lacuna* that CEWARN must address. During the 1998 IGAD Experts' meeting to develop IGAD's program on conflict prevention, management, and resolution, some of key observations relating to IGAD's CPMR mandate, related to the absence of regional decision-making structures, highlighted.[xii]

- the absence of mechanisms to involve IGAD in consultations, negotiations, follow-up, and provision of support services for prevention, management, and resolution of conflicts,
- the isolation from other decision-makers (at a regional level). Structures for decision-makers to meet and exchange experiences have been largely eroded. (resulting in limited opportunities to share the knowledge required to support a regional conflict

management regime),
- the absence of credible mechanisms for regional responses to cross-border and trans-border humanitarian emergencies, and
- the prevalence of reactive rather than proactive approaches to policy-making related to conflict management.

In response to these challenges, the IGAD secretariat, its member states, and their partners identified the following basic criteria to be applied in the program formulation exercise:

- The need for mechanisms to prevent, manage, and resolve conflicts that can be operational in integrating all levels and groups of society in the sub-region.
- The need to decentralize the decision making process in IGAD member states and their impact in preventing conflicts.
- The need for capacity-building measures (individual or institutional) and the design of a human-resources development program.[xiii]

Thus, CEWARN's task is to develop an infrastructure that supports IGAD's current CPMR mandate. CEWARN can thus be viewed as providing key elements of this planned infrastructure. As chapter 3 has emphasized, two central objectives of conflict early warning are: (1) promoting *informed* decision-making and (2) formulating effective responses to violent conflict. The process then is aimed at enhancing existing decision-making processes, with CEWARN functioning as a decision-support mechanism.

A key starting point for our deliberations on what form the response structure for the CEWARN mechanism should take is to link with and enhance existing institutional arrangements to prevent, manage, and resolve conflicts in Africa as well as within IGAD. IGAD's present decision-making structure is made up of the Authority of Heads of State and Government, which meets once a year, a council of ministers, which meets as required (Article 10), and a committee of ambassadors,

which also meets when required. Other mechanisms in Africa have either institutionalized more regular consultations or gone further, as in the case of ECOWAS and SADC's ISDSC, to include key line ministries in such consultations (see chapter 4). Such similar developments must occur in IGAD. The supplementary draft protocol on decision-making in the CEWARN system proposes structures/arrangements to address this gap (see Appendix F and chapter 8 for more detail). The following section links it specifically to the entry point elaborated in chapter 6.

Decision-Making in the Entry Point Area

The background on conflicts in pastoral areas is set out in chapters 1 and 2. Existing mechanisms to deal with these conflicts are presented in chapter 6 having outlined three initiatives that provide key elements for a solid institutional framework to build a decentralized integrated cross-border early warning, conflict prevention, and management system:

- Cross-border community peace-building initiatives
- The Peace and Development Committee structure
- The Kenya-Ethiopia border security committee

First, in terms of process, the cross-border harmonization meetings held under the auspices of the OAU/IBAR represent an innovative approach for convening groups across borders to discuss cross-border security issues, contribute to conflict analysis, formulate options for response, and articulate the way forward in terms of resolution. Second, the peace and development committee structure illustrates the principle of inclusion and integrated peacebuilding that is crucial for CEWARN. Finally, Kenya-Ethiopia border security mechanisms provide the structures for formal cooperation between states on cross-border issues.

Yet, as chapter 6 emphasizes, there are several gaps in these existing initiatives that CEWARN can fill in order to build a comprehensive conflict early warning, prevention, and man-

agement mechanism for the IGAD region. Community based peace-building initiatives, such as the OAU/IBAR initiative, are largely *ad hoc*; the border security committee is a reactive institution using military means as its principal mode of intervention. Even recent reform of the structure which incorporates a district level sub-committee that is meant to meet on a monthly basis and work closer with the communities (thereby transforming the structure into a more prepared and proactive one) is yet to yield results.

The decision-making structure set out in the draft supplementary protocol on decision-making in CEWARN (see Appendix F) provides more sustained and inclusive consultations from the local level all the way up to the committee of permanent secretaries. Furthermore, it provides for continuous monitoring and analysis to be undertaken by research institutions in the region. What this means is that government action will now have a solid analytical foundation informed by an inclusive process of conflict analysis. CEWARN's key task is to provide community-based perspectives in its analysis and derive policy recommendations through cross-border community dialogue. In this sense, the OAU/IBAR experience provides a starting point for convening communities across borders. At the inter-state level, this community-based system could feed into central government decision-making processes, thereby ensuring more effective responses at the macro-level. This requires effective channels of communication. Such channels must exist both within and between countries. The Ethiopia-Kenya Joint Border Subcommittee is a useful model for ensuring effective communication; and links to it could begin to address the disjuncture between state action and community contributions.

CEWARN thus aims to strengthen existing processes and mechanisms (in both the civil-society and state spheres) and explore ways in which civilian initiatives and state mechanisms can be integrated to achieve greater impact. The task of transforming the BSC district-level structure into a collaborative system based on joint analysis and decision-making is not to be underestimated. The nature of relations between com-

munities and governments has already been outlined in chapter 6 and was also discussed earlier in this chapter.

It is a challenge to move beyond the lack of trust and the suspiciousness that characterizes many community-state interactions in these matters and the extractive state orientation (*vis a vis* information related to conflict) when it is involved in such forums. Thus, what IGAD through CEWARN will need to provide is a dialogue process using facilitating and mediating skills in order to engage communities and states in early warning, conflict management, and prevention as intended.

The ultimate goal will be to create a district-level model based on the Wajir peace and development structure. Such a model would aim at overcoming mutual hostilities and creating an effective institutional basis for community and state collaboration in conflict-related matters. Thus, it is clear that CEWARN does not intend to reinvent the wheel but draw on the best practices of existing initiatives and mechanisms to develop a coherent framework for cross-border conflict management, and prevention.

Ultimately, CEWARN can serve as a key tool for conflict resolution and/or transformation activities targeted at pastoral areas. This process must be comprehensive and aimed at removing or transforming the roots of conflicts through joint analysis and cooperative problem solving. Attempts at conflict transformation must be based on the following principles: inclusion, collaborative decision-making, local capacity building, and empowering social groups, including elders, youth, and women.[xiv] Allowing active and effective participation is an important component of conflict early warning and response mechanisms.

CONCLUSION

Based on lessons learned from conflict early warning, prevention, and management experiences, combined with an assessment of regional realities and existing capacities of the IGAD secretariat as well as member states, there was only one feasible model choice: a "soft" system based on transparency,

information sharing, and active collaboration among and within states as well as between state and non-state actors. As we can see, an integrated approach – one seeking to enhance the effectiveness of conventional methodologies and mechanisms by exploring the best national and micro-level practices – is the foundation of this system. In this process, identifying locally rooted initiatives is the first step in any external[xv] attempt to engage in conflict prevention activities.

An effective early warning system must seek as a priority to work with regional and national policy makers and aim to enhance synergies with local or traditional conflict prevention initiatives. It must allow room for locally defined priorities. What remains to be seen is whether IGAD can become involved in promoting policies necessary to facilitate conflict resolution in its sub-region. This will necessarily entail policy decisions and actions addressing issues (for example, the level of democracy, abuses of human rights, poverty and resource scarcity).

As discussed in the preface, the key is ensuring that each state buys into the concept of collaborative decision-making on conflict-related issues. Another central question is whether CEWARN can foster dialogue and cooperation between all sectors of state and civil society in conflict prevention, management, and resolution. However, the Khartoum Declaration (see Appendix C) provides the foundations for an inclusive and sustained dialogue and a point of departure from other initiatives within the region.

Yet this system needs to be refined further and will continue to change after this book goes to print. After all, CEWARN is not designed to remain static and tied to working solely on conflicts in pastoral areas along borders. Rather it is intended to gradually expand the system's coverage as confidence in the system increases.

NOTES

i   The authors have also benefited from previous work and comments by other FEWER team members: Günther Baechler, Makumi Mwagiru, Bethuel Kiplagat, and Sharon Rusu.

ii   Cirû Mwaûra, "Local conflict prevention initiatives and regional frameworks: Prospects for integration" in *All Africa conference on African Principles of Conflict Resolution & Reconciliation' Report*, 1999.

iii   Howard Adelman, "Authority, Influence and Power." *Philosophy of the Social Sciences.* December 6, 1976:335-51.

iv   Mwaûra, 1999.

v   To understand the legal mandate for IGAD engaging in early warning and conflict management at all, see IGAD, *Declaration of the Seventeenth Session of the Council of Ministers of IGAD on the Conflict Situation in the Sub-Region* (Djibouti: IGAD March 15, 1998) and *Programme on Conflict Prevention, Resolution, and Management.* (Djibouti: IGAD 1999).

vi   "The data shows that the role of civil society in these conflicts is generally high. This correlates well with the high involvement of NGOs as part of civil society in the conflicts and their management." Makumi Mwagiru *Conflict Management in Africa: Lessons Learnt and Future Strategies.* (Nairobi: Friedrich Ebert Centre for Conflict Research, 2001): 20.

vii   Mwaûra, 1999.

viii   Jean-H Guilmette, "Early Warning, Conflict Prevention, and Decision Making." (Ottawa: IDRC, unpublished draft, 1995).

ix   See Appendix F, Article 4 of the supplementary draft protocol on cooperation in information.

x   See Appendix F, Article 9 of supplementary draft protocol on cooperation in information sharing. It also discusses the composition of the committee on information sharing that should assure fairness and neutrality in judgement.

xi   *See Appendix F,* Article 6 of supplementary draft protocol on cooperation in information sharing.

xii   IGAD/IPF Technical Experts Meeting, April 1998, Djibouti.

xiii   A complete list is presented in this book's Introduction.

xiv   The involvement of local authorities and the communities' leaders, elders, youths (warriors), and women in joint meetings with other communities has proved effective in reconciliation between the Toposa and Turkana and between the Pokot, Karamojong, Turkana, and Sabiny.

xv   This term is used as widely as possible to capture anyone outside the immediate conflict context and is not limited to geographical proximity or distance as the case may be.

CHAPTER 8

THE LEGAL FRAMEWORK FOR CEWARN

MAKUMI MWAGIRU

INTRODUCTION

This chapter focuses on the institutionalization of IGAD's conflict early warning and response mechanism (CEWARN).[1] CEWARN was conceived of as a mechanism that would enable the region to systematically anticipate and respond to various conflicts that currently disturb the Horn of Africa. As emphasized in previous chapters, a crucial task for institutionalizing CEWARN is the creation of a framework that draws upon existing efforts, mechanisms, and skills. This ensures proper reflection of its regional character and establishes its regional credentials. It is therefore important to take into account various realities in the region, such as the fact that the IGAD region has a conflict system (see chapters 1 and 2). It is the needs of this system that a fully functional CEWARN mechanism will essentially serve while at the same time cooperating with other similar mechanisms, whether at the universal level (UN) or regional level (OAU).

The rationale of institutionalizing regional conflict management mechanisms is that such mechanisms cannot function optimally on an *ad hoc* basis. In order for such mechanisms to work properly, they must have a clear institutional basis. This goes beyond merely housing the mechanism under the auspices of a sub-regional organization such as IGAD but

also entails giving the mechanism a distinct face and identity. Primarily this involves giving CEWARN a clearly discernible legal identity, structures for decision-making, and cooperation in information sharing among member states.

There are already various in-state mechanisms concerned with conflict management and famine early warning, and it is on these that CEWARN will build (see chapter 6). Yet existing mechanisms have not been concerned primarily – or at all – with conflict early warning. Thus, part of the harmonization process entails giving these in-state mechanisms a conflict early warning mandate. This requires identifying their strengths and bringing them to bear on a fully functional IGAD early warning and response mechanism. The region also has various bilateral frameworks for conflict management. These currently operate with little if any cooperation and contact between them. The most developed of these bilateral frameworks is the Kenya-Ethiopia Joint Border Commission, which has existed for several years. This commission, which is chaired by provincial commissioners from neighboring provinces, operates at the official level. The challenge here lies in identifying ways in which such a commission can feed into CEWARN and designing ways in which other actors (especially civil society) can be involved in its deliberations and decision-making.

However, institutionalizing CEWARN also required addressing the IGAD decision-making apparatus, which did not yet have a clear enough mandate to accommodate CEWARN. Before the process of institutionalizing CEWARN began, the IGAD decision-making apparatus reflected purely diplomatic and political concerns of IGAD but not the peculiar needs of a conflict early warning and response mechanism or IGAD's peace and security mandate. In addition, there are crucial decision-making structures of IGAD countries for establishing CEWARN and IGAD's peace and security mandate – such as permanent secretaries. At this point they have not been properly integrated into IGAD's decision-making structures. In essence, the draft protocol establishing CEWARN (including the two supplementary draft protocols on cooperation in information sharing and decision-making) (see Appendix F) and the

final version of the protocol establishing CEWARN (Appendix G) fill this gap Hence, in outlining an adequate decision-making structure, CEWARN addresses a wider institutional problem: the absence of structures to facilitate the revitalized IGAD mandate.

THE REGIONAL FRAMEWORK FOR INSTITUTIONALIZATION

Given that the IGAD region is clearly defined and agreed upon by its membership (partially through geography), there is a clear regional (or sub-regional) framework within which CEWARN can be institutionalized and operate. Membership in the IGAD region is defined by the fact that all IGAD member countries are part of the Horn of Africa.[ii]

The IGAD region is further identifiable by the character of conflicts that typify the region.[iii] Many of IGAD's regional conflicts occur in border regions (see chapters 1 and 2). This not only creates a relationship between the borders but also links the region's frontiers. Most prominent of these are conflicts in pastoral areas – particularly livestock rustling, which cuts across borders in the region. The problem of small arms is also a regional cross-border reality that helps to trigger and exacerbate regional conflicts. It is therefore important to have conflict management mechanisms that specifically address the nature of these conflicts, including a regional conflict early warning and response mechanism aimed at anticipating and preventing a further spreading of new conflicts.

THE IMPORTANCE OF INSTITUTIONALIZATION

In the context of CEWARN, institutionalization means giving the mechanism a sound legal and decision-making base from which it can operate. It also means enshrining consultative processes for CEWARN and defining precisely how conflict early warning and response mechanisms operating at the state level fit into CEWARN. These in-state mechanisms are called

Conflict Early Warning Response Units (CEWERUs). In addition, it is also important to create an entree for civil society in its various operations, including its decision-making processes and thus mainstream the role of civil society in the CEWARN process.

Establishment of such a legal and institutional base is important, as it addresses and clarifies various operational issues such as the fundamental role of IGAD as a facilitator in the CEWARN process (see chapters 3 and 7). Chapter 7 outlined the importance of CEWARN adopting an open model that involves actors other than states in information gathering, thus confining IGAD's role to facilitating this process as well as processing and analysis of information gathered. At another level, IGAD will similarly facilitate the process of early response to the conflicts in question.

The CEWARN legal foundation will also help rationalize its relationship with other regional and sub-regional organizations and mechanisms. This is an important function, as early warning is best understood as a cooperative process, not just within but also across regions and in the international arena (see chapter 3). For example, there is already an OAU conflict early warning mechanism.[IV] Given the continental role and concerns of the OAU, it is necessary for CEWARN to have some sort of cooperative relationship with this mechanism. Part of the rationale for this is that the IGAD members are also OAU members. Hence such cooperative relationships cannot be avoided in any case. However, without a sound institutional basis, structures for such cooperation can neither be understood nor function.

Modalities for cooperating with the OAU on information sharing and conflict management, and with the United Nations (and other international organizations) on disseminating early warning information and analysis (for example, through IRIN) will be contained in a memorandum of understanding to be formalized once CEWARN is fully functional. Similarly, cooperation will be needed with other sub-regional organizations that are developing or may develop conflict, peace, and security concerns such as COMESA's evolving peace

and security mandate. The COMESA experience of developing structures to link with civil society in its peace and security framework will be particularly relevant.[V]

As chapter 3 has emphasized, a conflict early warning mechanism that is not properly linked to an early response component is of little benefit. Thus, in order for CEWARN to be successful, it needs to integrate a response mechanism into the decision-making process of IGAD and its member states that can be adequately accessed by the early warning system.

How CEWARN Functions

There are various levels of process that figure into institutionalizing regional conflict early warning mechanisms. In order to capture the diversity and linkages of the regional actors in conflict, CEWARN has to operate at three levels: subnational, national, and regional. While the latter level provides the necessary foundation for any regional conflict early warning mechanism, cooperation is essential with other mechanisms at lower levels for the entire system to function properly. The national level involves essentially in-state mechanisms (CEWERUs), while sub-national ones range from the provincial or district level to the locality.[VI] The challenge is to integrate these national and sub-national mechanisms properly into the larger regional CEWARN framework, especially as each level involves both official actors (government representatives) and civil society.

Civil Society's Role

The importance of civil society's participation in CEWARN's functioning has already been outlined in chapter 7. The rationale for this is that civil society organizations are closest to the grassroots, where the most effective early warning for conflict can be discerned. Involving such organizations requires creating institutional structures that would enhance the whole CEWARN operation. Moreover, IGAD member states

and civil society share similar areas of concern and have worked together, albeit only on an *ad hoc* basis. By having links with civil society, member states would enjoy greater levels of access to the grassroots and thus enhance their presence there considerably. However, so far there have been no direct communications between IGAD and civil society.

For civil society to bring its potential to bear in CEWARN operations, there must be a solid cooperative relationship between society and the CEWERUs. So far, the intelligence model has influenced government's views about early warning systems (see chapters 3 and 7). Such information is treated as secret, and the analyzed information is not available to civil society. For CEWARN to function properly however, some form of cooperative relationship between the state and civil society was thought necessary. To a large extent, this depends on the political will of member state governments and their willingness to involve civil society in this process at the national level. In some countries such as Kenya, such relationships exist in some districts (for example, in Wajir, see chapter 6).[vii] However, cooperative structures need to be institutionalized, so that the whole regional structure is not held hostage to *ad hoc* or individual good will. The supplementary draft protocol on decision-making establishes these links by requiring civil society membership in the CEWERUs and by emphasizing that civil society must be an integral part of CEWARN's decision-making structure.[viii] In this way, IGAD fills an important niche, promoting two-way communication between governments and civil society in the IGAD region by formalizing the right of civil society to have access to information and analysis.

The Relationship Between CEWERUs

An important political consideration in institutional-izing CEWARN was the relationship between the various in-state mechanisms that are to become part of the CEWERUs. Previously, there was little if any formal relationship between them. Given the sometimes prickly and even conflicting rela-tionships among IGAD member states, this was a structure (and issue) that needed early attention. The problem is that while some CEWERUs might cooperate without difficulty, oth-ers may fail for political and other reasons to achieve such cooperation. Ideally however, all CEWERUs should work in har-mony, and the synergy created by this should eventually deter-mine whether CEWARN can survive as a useful regional conflict early warning and response mechanism.

In addition, functional institutionalization requires that conflict early warning mechanisms at the sub-national levels feed into the larger CEWERUs and CEWARN. This need responds to the philosophy of cooperation at all levels for any functioning conflict early warning, prevention and management mechanism (see chapters 3 and 7). A possible model for this sort of institutionalization is a project in the POKATUSA dis-tricts of Kenya and Uganda in which peace monitors are sta-tioned in the neighboring conflict-prone districts of both countries. The function of these peace monitors is *inter alia* to report on conflict early warnings for the districts in which they operate.[ix] It is critical that this kind of information, collected at the local and district level, is eventually fed into national units and eventually into CEWARN.

THE LEGAL FOUNDATION FOR INSTITUTIONALIZATION

The legal edifice of the IGAD regional early warning mechanism involves creating a relationship between various existing legal structures such as the agreement establishing IGAD (see Appendix A). In addition, it entails creating a series of surrounding legal structures such as protocols governing the various CEWARN concerns.[x] In addition to this basic framework, there are other legal documents that will inform the CEWARN legal apparatus. These include various memoranda of understanding to be signed by CEWARN and other conflict early warning mechanisms as well as statutes of IGAD member states on issues such as information.

The IGAD Establishment Agreement

The whole legal structure to institutionalize the IGAD regional early warning and response mechanism centers around the IGAD establishment agreement. This is the basic legal authority for creating CEWARN and helps establish the linkage between CEWARN and IGAD. Indeed, the decision to create a legal identity for CEWARN through protocols is based on the authority derived from the establishing agreement, which permits negotiation and conclusion of supplementary agreements and protocols.[xi] These supplementary agreements and protocols, once concluded, become part of the establishing agreement.

The Khartoum Declaration

The Khartoum Declaration of the IGAD heads of state and government of November 2000 (see Appendix C) is an important part of the CEWARN legal structure as a regional mechanism for conflict early warning and response, as it contains formal approval by heads of state of IGAD member states to create CEWARN. Both a political and legal document, the declaration embodies political support for CEWARN, which would not have proceeded without it. Further, it provides the basis for formal cooperation between member states and civil society, a critical element for the success of CEWARN.

The Khartoum Declaration fits well into the legal structure for CEWARN, because it is legally binding, unlike the case with general resolutions.[xii] As a declaration, it contains an authoritative decision by the heads of state, and its legal status derives from this. It is clearly an important component of the whole CEWARN legal edifice.

The Khartoum Declaration is also an important document because it supports the process of institutionalizing CEWARN. This process entails making some internal administrative adjustments in member states regarding in-state early warning mechanisms. This would have been difficult to do without the authority and backing of the IGAD heads of state and government.

THE NEW PROTOCOLS

There are other legal structures beyond these establishing legal frameworks for CEWARN. These are contained in three new protocols, which together form the immediate and visible legal identity of CEWARN. There has been some debate about whether to opt for a series of protocols governing various aspects of CEWARN's functions or one comprehensive protocol containing all these details.[xiii] While the former creates an elegant constellation of protocols to institutionalize and govern functions of the regional mechanism, the latter is the more functional option.

The functional option of having one inclusive protocol

prevailed. This choice was based partially on political and diplomatic factors. It was feared that having a series of protocols would require different ratification procedures for each of protocol. It was felt that CEWARN's functioning and institutionalizing could easily be delayed, because some member states might ratify some protocols but not others. This could hold the institutionalizing process hostage to the fortunes of IGAD politics.

One comprehensive draft protocol for the institutionalizing and functioning of CEWARN, containing three distinct parts, each of which could have been contained in a separate protocol, was presented to legal experts from member states. These three inter-connected parts establish CEWARN and divide cooperation in information sharing and decision-making into two supplementary protocols (see Appendix F). As pointed out in the introduction we have the added advantage of being able to present both versions of the protocol- i.e. the draft version and the final version (based on the deliberations of the September meeting, see Appendix G). We are thus able to illustrate the progression in thinking and changes that the protocol underwent during the legal experts' meeting. Having said that, it should be noted that this chapter bases its discussion on the draft version of the protocol in Appendix F.

The Draft Protocol Establishing CEWARN

The main section of this enlarged three-part draft protocol went through a first reading by the member states' legal experts in October 2000. It deals with general principles of a CEWARN mechanism within IGAD. This part of the draft protocol is intended to strengthen the Khartoum Declaration and give substance to establishing the CEWARN mechanism, requiring that only those member states of IGAD that have ratified the protocol participate in CEWARN. It confers a legal identity on CEWARN through Article 3 and sets out its functions. These include promoting exchange of information and collaboration on conflict early warning and response among IGAD member states; collecting and analyzing information about conflicts in the region; establishing networks of cooperation in these areas; creating, managing, and disseminating information data bases on conflict early warning in the region; and developing cooperation between CEWERUs. The draft protocol requires that IGAD establish collaborative relationships with other similar mechanisms, develop conflict early warning mechanisms in member states (including human and institutional capacity building), and harmonize information policies and conflict early warning systems in member states. CEWARN's central role is emphasized through the requirement that it (1) designs mechanisms for regional response to cross-border conflicts, (2) collects and verifies information relevant to early response, and (3) communicates such information and analysis to decision makers in IGAD.

Article 5, which provides that CEWARN rely on information available in the public domain, is an important part of the draft protocol. So is the requirement that information shall only be collected through overt means. This provision also gives member states a stake in the whole process by determining where and how states approve types of information to be disseminated. While providing that CEWARN will use existing IGAD secretariat documentation facilities, Article 8 emphasizes the right of member states to access CEWARN documentation facilities. The draft protocol also addresses the issue of CEWARN's source of funding to be derived from member state

contributions, and grants, donations, and contributions from other sources that the assembly may approve.

The draft protocol further addresses the administratively difficult problem of the relationship between CEWARN and the IGAD secretariat. This issue is important because, whereas CEWARN will have operational autonomy, it will be located at the IGAD headquarters. However, the potential problems are removed by the requirement that CEWARN's director will report to IGAD's executive secretary, and that the secretariat and CEWARN will share personnel, facilities, and equipment as much as possible.

Supplementary Draft Protocol on Cooperation in Information Sharing

The issue of information sharing among CEWERUs was identified as a preliminary structural issue that could affect CEWARN's functioning and integrity. The problem of sharing information arose because the CEWERUs operate on the basis of sovereignty, viewing it as the supreme consideration. These CEWERUs deal with information. In the context of conflict early warning and response, the states consider these matters to be issues of high-level policy.

Given this conceptual (and structural) reality, the ability or willingness of the CEWERUs to share information among themselves cannot be taken for granted. While it is true that some states already have mechanisms through which they share information (including intelligence information), not all IGAD states have this kind of cooperative relationship. It is possible to make the best of a difficult situation by arguing that those who can cooperate with CEWARN should do so. But it is also true that a fully operational, and hence effective, CEWARN requires full cooperation between all CEWERUs. Patchy or even intermittent cooperation will not strengthen CEWARN, and strategies are needed to close off this possibility.

The problem is one of distinguishing between complete and selective sharing of information. The bottom line is that CEWARN is grounded on state activities and depends on

their goodwill. This is likely to be seen often against the background of member state national interests. And these are what they define them to be at any moment. The diplomatic and political challenge that this poses is to ensure that states share the best information available. But the best information available is a matter left entirely to the individual states to decide.

The supplementary draft protocol on cooperation in information sharing is the centerpiece of CEWARN operations. It creates the legal basis for sharing information, including how it will be shared and with whom. This part of the draft protocol concerns both raw information (i.e. unprocessed data) and analysis (i.e. processed data). Importantly, it intends to respond to the member states' need to know where information about their territory will end up and how it will be used. This section also concerns how such information will be shared among member states participating in CEWARN.

This supplementary draft protocol rationalizes CEWERUs' operations by specifying their composition (particularly to include civil society), while allowing governments to decide on wider representation. It clearly defines their specific role. An important element of institutionalization is the requirement that ministries of foreign affairs serve as communication links between the CEWERUs and CEWARN. It also spells out the functions of both CEWARN and the IGAD secretariat in information sharing, thereby reducing a potential area of operational conflict between the two.[xiv]

As already mentioned in chapter 7, the supplementary draft protocol creates a committee on information sharing composed of permanent secretaries that will meet twice a year. Civil society representatives will sit on this committee. This establishes the right of civil society to access information and analysis on matters like livestock rustling, conflicts over grazing and water points, smuggling and illegal trade, nomadic movements, refugees, land mines, and banditry.[xv] Its functions also include promoting cooperation among CEWERUs and between CEWERUs and CEWARN.[xvi]

Enhancing the IGAD's Analytical Capacity

One of IGAD's clearest discernible realities currently – at least in its conflict management capacity — is that it lacks the analytical capacity necessary to enable it to play the sort of coordinating role it is envisaged to play in CEWARN.[xvii] This lack of capacity not only applies to the level and numbers of personnel it commands. It also covers the analytical capacity of the personnel at hand to handle IGAD tasks envisaged for CEWARN.

In the CEWARN context, while IGAD and its officials will play essentially a facilitative and coordinating role, IGAD also needs the capacity to handle information that will emanate from the member states. The CEWARN concept raises the important question of how other actors such as international and regional organizations relate to one another. Although deciding on the identity of actors and the rules under which they will operate will be determined at IGAD decision-making levels, their daily operations will be left to IGAD officials. Evidently, in order to perform these tasks efficiently, more capacity is needed. In particular, officials with information management skills will enhance this facilitative role considerably. Hence the supplementary draft protocol's Article 7 on cooperation in information sharing requires that certain categories of professionals responsible for organizing training to develop analytical capacities for CEWERUs and for designing information technology should initially be part of CEWARN.

Supplementary Draft Protocol on Decision-Making

The political structure for institutionalizing CEWARN is a crucial element in the whole process. This aspect involves ways in which CEWARN structures will merge and work together. Institutionalizing in this respect involved synchronizing the political and decision-making aspects of CEWARN operations. The political structures for institutionalizing are essentially concerned with those aspects of CEWARN that cannot be contained in the legal structures. Nevertheless, they are crucial to

its effective and efficient functioning as a conflict early warning and early response mechanism.

The basic understanding is that IGAD, as the organization hosting CEWARN and giving it its regional flavor, should ideally act only to coordinate CEWARN activities rather than to perform them. This underscores the sovereignty basis of the whole regional framework, since member states in this setting must remain the repositories of decision-making for CEWARN and its activities. In addition, CEWARN must work within national jurisdictions as well as administrative and decision-making structures. As such, it is envisaged that member states will retain decision-making powers with respect to CEWARN operations, while the IGAD secretariat will provide coordinative backing for CEWARN functions.

Institutionalizing regional conflict early warning mechanisms essentially involves building on existing national mechanisms and frameworks. Where necessary, it also involves recreating such national mechanisms. In the CEWARN context, this will entail the creation of local early warning mechanisms. Part of establishing such mechanisms involves a training component. This is essential, because as matters now stands, there is insufficient appreciation of how local mechanisms will fit into in-state mechanisms, and how these in turn will fit into the regional structure being created. In addition, the training component will be valuable, because it will involve training at the different levels as to what the sub-national mechanisms will do precisely, what sort of information they will collect, the mode of reporting on such information, and the content of reports.

Focal Points for CEWARN

A major concern in institutionalizing CEWARN is the need to have clear coordination between the different departments of governments. Because different departments of the governments of member states will be involved in the process of collecting, collating, and analyzing information at the national level, there is a need for clearly identified focal points for CEWARN. Apart from this need for internal coordination,

the focal points are also necessary as points of contact between member states and the IGAD secretariat in its role of facilitating and coordinating CEWARN's activities. The supplementary draft protocol on decision-making specifies a focal point in each member state. The ministries of foreign affairs or other operational ministries to be specified by individual member states could be effective focal points.

Creating the regional mechanism will also entail restructuring IGAD decision-making structures. As noted earlier, the current IGAD decision-making apparatus was not conceived to operate in the context of an early warning and response mechanism. Making IGAD's decision-making structures responsive to CEWARN's needs may require supplementing them with more functional structures. The need for this is self-evident: unless regional decision-making structures are responsive and functional, there can be no effective early response mechanism.

Provisions of the decision-making protocol are an important aspect of institutionalizing CEWARN as a regional mechanism. This component is important, because without clearly defined decision-making structures, the early response part of CEWARN cannot be effective. Besides this, decision-making is at the heart of the whole CEWARN operation. Had it not been provided for in a legal framework, it would have impeded the function of the regional mechanism.

This part of the supplementary draft protocol establishes regular consultation mechanisms and deals with the issue of who consults whom, who should be involved in the consultation process, when, and how regularly. It enshrines a central role for governments in this process and, most importantly, establishes a committee of permanent secretaries.

The current decision-making structures of IGAD are heavily weighted toward the political leadership component of decision-making. These decision-making structures involve heads of state and government as well as ministers. However, for CEWARN to be effective and efficient, this decision-making structure needs to include more technocrats. In addition, the consultative structure of IGAD decision making needs to be made more frequent, so that high-level officials meet regu-

larly to exchange views and information.

Regular Consultations of Permanent Secretaries

The high-level IGAD CEWARN meeting in Nairobi during May 2001 suggested ways in which the structure of IGAD decision-making could be expanded to make it more effective at this level. That meeting brought the member states' permanent secretaries together. This meeting effectively prompted the suggestion to institutionalize regular meetings of permanent secretaries.

Previously, IGAD decision-making structures contained no structure for high-level officials at the level of permanent secretaries to consult regularly. Although officials had a role to play in the form of the committee of ambassadors, there was a gap between this level and the foreign ministers. Between ambassadors and foreign ministers there are permanent secretaries, who are extremely crucial components in national (foreign policy) decision-making. The protocols are innovative in that they provide for regular and institutionalized talks involving permanent secretaries. This innovation closes the IGAD decision-making gap between ambassadors and ministers of foreign affairs and represents a key contribution to regional diplomacy.

The crucial aspect of this decision-making process also revolves around the role and content of civil society in this decision-making process. Two principles are involved here. The first calls for IGAD's existing official decision-making structures being refined and molded to accommodate the peculiar needs of a functional CEWARN. The second is the extent of civilian involvement in this framework. The draft protocol makes it clear that civil society involvement is an integral part of CEWARN's decision-making structures and that civil society should be involved in the process of analyzing information.[xviii] Involving civilians at the decision-making level in this way revolutionizes the whole spirit of official *bricolage* in IGAD decision-making processes.

COORDINATING EXISTING MECHANISMS

So far existing in-state mechanisms have been acknowledged and the need to focus them on conflict early warning issues has been recognized. However, given that they are extremely crucial to CEWARN's ability to function as a regional mechanism, these mechanisms will need to be coordinated, so that their operating procedures, for example, are orchestrated in regard to conflict early warning.

This task of coordinating existing in-state mechanisms is part of the whole development of the CEWARN structure. However, this structure cannot stand effectively if the CEWERUs do not work together or even share the CEWARN philosophy. This task is essentially one of training, although it contains an important diplomatic element because in-state mechanisms might need convincing that they will not be surrendering their identity by strengthening CEWARN. Article 7 of the supplementary draft protocol on decision-making gives the committee of permanent secretaries the task of harmonizing coordination between CEWARN and the CEWERUs. Meanwhile, under Article 11, one function of the focal points is to create linkages between CEWARN and individual CEWERUs.

NATIONAL LAWS ON INFORMATION

National laws on information and security will largely inform the functioning of CEWARN. Indeed CEWARN's legal framework builds on existing national laws. It is the basis for a requirement specified in the draft protocol on cooperation in information sharing that national laws be reviewed where necessary to conform to CEWARN requirements. The national laws involved include those dealing with information and sources of information as well as its dissemination. For example, the Official Secrets Acts of various countries could affect the potential of sharing information between states as well as between in-state mechanisms and CEWARN.

In addition, countries' information classifying systems might adversely affect the quality of information shared between and among member states. If a state, for example, has very stringent information classifying systems, this might mean that CEWARN's most useful information would not be shared on grounds that it is officially classified as secret or confidential. Evidently this problem can be countered by arguing that information in the CEWARN mechanism is largely in the public domain. However, the public domain rationale ceases to be operational after the information in question has been processed or analyzed, no matter how cursorily. To address this problem, the draft protocol on cooperation in information sharing requires that member states adjust their national laws to accommodate their obligations to CEWARN.

FUTURE SUPPORTING LEGAL FRAMEWORKS

While these protocols and existing national laws constitute the legal framework that will usher CEWARN into life, some other legal structures will be created once it becomes functional. These will essentially take the form of memoranda of understanding that will be concluded with other mechanisms and institutions.

Memoranda of Understanding with Other Organizations

It is accepted that, when functional, CEWARN will not exist in a vacuum. It will need to cooperate with international, regional, and sub-regional organizations involved in the conflict early warning and response field. The sort of cooperation with other organizations envisaged involves sharing information, especially processed (i.e., analyzed) information. It also involves the problem of access to CEWARN's information and data banks and the basis and conditions under which these other actors will access such information. Thus such memoranda will form an important part of the legal structure supporting CEWARN. Issues to be considered in such documents include regularity of access, reciprocity (i.e., whether CEWARN will have reciprocal access to information gathered and processed by these other actors), and the identity of these other actors.

In particular, there will be memoranda of understanding concluded with the OAU with which it has clearly been determined CEWARN should cooperate in the area of early warning and response. In addition, memoranda of understanding will be concluded with UN agencies and other organizations and their agencies so that CEWARN taps their experience, especially in the areas of capacity building, training, and information.

CONCLUSION

This chapter has taken a broad overview of the challenges, context, and content of institutionalizing regional conflict early warning mechanisms. It has examined this problem in the context of the IGAD conflict early warning and response mechanism whose formal institutionalization is underway. The regional framework for CEWARN has been identified and its legal and political institutional structures examined. Far from existing in a vacuum, CEWARN's success is dependant on the various supporting structures that have been identified.

However, a regional conflict early warning and response mechanism such as the one under discussion is a creature of states and state structures, and as such is subject to the vicissitudes of the region's political and geo-political realities. Thus a pragmatic institutionalizing program has required that the obstacles that could attend the process be recognized at the outset and strategies to address them be designed early. Appreciation of challenges in the process of institutionalizing CEWARN was not a mere surrender to pessimism and cynicism but a response to regional realities and contexts. Nested within this perception however, is the hope that CEWARN, from its inception, will reach beyond its grasp.

NOTES

i   All protocols in relation to CEWARN discussed in this chapter
     are in draft form and have only gone through one reading as
     this book goes to print. Thus, the final protocols may look
     somewhat different than what is included in Appendix F.
     Appendix G, however, presents a much closer version of how
     the draft protocol ultimately looks like.

ii   Note that traditionally the Horn of Africa only includes
     Somalia, Sudan, Ethiopia, Eritrea, and Djibouti.

iii See Mohamed Suliman, "The Rationality and Irrationality of
     Violence in Sub-Saharan Africa." *Ecology, Politics and Violent
     Conflict,* ed. Mohamed Suliman (London: Zed Books, 1999):
     25-44; and P. Anyang' Nyongo, ed., *Arms and Daggers in the
     Heart of Africa: Studies in Internal Conflict* (Nairobi: African
     Academy of Sciences, 1993).

iv   See S. Bassey Ibok and W. Nhara, eds., *OAU Early Warning
     System on Conflict Situations in Africa* (Addis Ababa: OAU, 1996).

v   See *Report of the COMESA Workshop on the Role of the Private
     Sector, Non-Governmental Organizations and the Civil Society in
     the Promotion of Peace and Security in the COMESA Sub-Region*
     (COMESA Doc. No. COM/WPS/II/2, February 2001).

vi   This is in the context of current Kenyan administrative divi-
     sions. Other IGAD states may use different terminologies, but
     the basic administrative scheme is the same.

vii See Dekha Ibrahim, "Models for Integrated Management: The
     Wajir Peace and Development Committee." Paper presented at
     the *IGAD Meeting on Conflicts in Pastoral Areas along Borders:
     Toward the Development of a Conflict Early Warning and Response
     Mechanism (CEWARN) for IGAD Member States.* Addis Ababa,
     Ethiopia, August 30-31, 2001.

viii See Articles 10 and 13 of the draft supplementary protocols on
     decision-making and cooperation in information sharing
     respectively (Appendix F).

ix   This is a project currently being undertaken by World Vision,
     Kenya, and Uganda. The training component is being carried
     out by the Centre for Conflict Research (CCR). See M. Mwagiru
     and N. Karuru, *Conflict: Skills and Strategies for Management*
     (Nairobi: forthcoming, 2001).

x   For a more detailed discussion of this, see M. Mwagiru, "IGAD
     Conflict Early Warning Mechanism: Legal and Institutional
     Aspects" (Paper for the Second Workshop on the Development
     of a Conflict Early Warning and Response Mechanism
     (CEWARN) for IGAD member states, Kampala, September 11-
     12, 2000).

xi   See article 17(1) Appendix A.

xii   On the contentious area of the status (as legal sources) of UN resolutions and decisions, see T. O. Elias, *Africa and the Development of International Law* (Dodrecht, The Netherlands: Martinus Nijhoff, 1988): 69-74.

xiii   Surprisingly, this issue was not broached during the legal experts meeting in Asmara in October 2000 but came up during a high-level meeting in Nairobi in May 2001, during which a clarification was made.

xiv   See Article 16 of the draft protocol on cooperation in information sharing.

xv   Article 13 of the draft protocol. The areas of access were identified in a questionnaire given to member states during a high-level meeting in Nairobi in May 2001.

xvi   See Article 9 of the draft protocol on cooperation in information sharing.

xvii   There is a director for the Department of Political and Humanitarian Affairs and a chief of the conflict management unit (currently vacant). CEWARN clearly needs more than just two officials in IGAD.

xviii   See article 10 of the draft protocol on decision-making.

CONCLUSION

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Ideas on conflict early warning, prevention, and management are never easy to implement. The fact that the success of early warning is measured through a non-event (for example, no war) makes it hard enough to find supporters who are willing to justify the allocation of scarce resources to the task of conflict prevention and management. Even harder, however, is the requirement for collaboration within and among states in order to make conflict early warning, prevention, and management successful – especially in a region with a history of wars that has led to difficult inter-state relations and lack of trust.

Yet trust and confidence can be built, and sustainable preventive efforts can be developed over time, underpinned by solid institutional mechanisms that are able to deal with conflict in a constructive fashion. This institutionalizing of conflict early warning, prevention, and management is closely related to what UN Secretary General Kofi Annan calls a "culture of prevention" and will not emerge from itself but requires commitment and conscious effort.

Throughout the eighteen months of meetings and consultations that produced the draft protocol for CEWARN, several lessons about process as well as substance have been learned. In addition, much of what we knew about conflict early warning, prevention, and management has been reinforced.

Some lessons are specific to the entry point adopted, while others have wider and more general significance. Even in that case, specific application of the general lessons has unique characteristics reflecting the problems and the region.

REGIONAL COOPERATION AND OWNERSHIP

Successful cases of conflict prevention and management have shown the importance of regional efforts and collaboration as the primary engine for action, and more importantly that outside assistance must be sought in a targeted manner with local and regional solutions providing the basis for action.[1] Thus, while the development of CEWARN was supported by GTZ and USAID, it would not have developed as it did if IGAD member states had not believed in the importance of conflict early warning, prevention, and management. In a process approach, government officials and members of civil society gradually took ownership of the conclusions and assumed responsibility for applying the results. All this would have been impossible without such broad input. Acceptance of this idea, and later ownership by the major stakeholders, is arguably the first crucial step toward regional cooperation. Nevertheless, such cooperation will be fragile at first, and CEWARN will have to prove that it can move from an idea (however well developed) to a real-time mechanism that puts the sustainability of regional cooperation for peace and security to a test.

AN INCREMENTAL APPROACH

A culture of prevention or peaceful behavior does not emerge by itself but only through conscious efforts by all actors mandated with prevention action. In developing CEWARN, a bottom-up approach was deemed most appropriate for instituting an early warning and conflict management system. This approach was defined by its incremental and modest aims and complemented by insistence that responsibilities for early

warning, conflict prevention, and management be pushed to the lowest level feasible for action while higher levels were to be used to reinforce the system. Thus, accountability starts at the bottom, but unless this is reinforced by government officials taking responsibility at higher levels in an expeditious fashion, the whole CEWARN system can quickly unravel.

The system needs time to grow, as trust among states and between states and civil society is established. Indeed, CEWARN, like any conflict early warning, prevention, and management system, is no magic bullet. Conflicts are likely to continue, but very likely our understanding and approach on how to deal with such conflicts will change slowly.

Nonetheless, IGAD, in changing its mandate, has already begun to make headway in developing a peace-and-security architecture for its member states so as to further development. This strategy was broken down into intermediate goals, with CEWARN being one of them. IGAD further understood that the best way of realizing CEWARN was through a strategy that incorporated several tools: an independent assessment of requirements for such a system in the Horn of Africa and regional consultations with all major stakeholders that allowed a matching of mechanisms to regional needs. The choice of a feasible entry point is further evidence of a coherent strategy, as it acknowledges the challenges of the political environment in the IGAD region and the fragile basis of mutual trust among member states.

This brings to the fore a larger question. The entry point chosen in working toward the development of an early warning, prevention, and conflict management system is, some might argue, relatively marginal in addressing the pervasive elements of violent conflict in the region. It does nothing directly, for example, to address the long-term resolution of the Ethiopian-Eritrean war. It does nothing directly to address issues at the heart of the Sudanese civil war. Why put so much effort in attacking problems that are ranked so low in the context of a region where much bigger issues of violent conflict are at stake?

The answer to that question goes to the heart of the

incremental and pragmatic bottom-up approach based on a partnership between civil society and government that occupies the philosophical center of the approach adopted to conflict early warning, prevention, and management by CEWARN. First, the efforts are not large; they are modest and proportionate to the outcome. In fact, feedback from donors thus far has indicated great satisfaction that so much progress has been achieved with very little cost. Several government officials have accepted the concept and the importance of such an approach. If it proves itself, it can have influence far outside the arena of early warning, conflict prevention, and management – particularly in enhancing the importance of civil society in ensuring peaceful governance. Second, modest beginnings that prove themselves are far more beneficial than large-scale efforts that lead to bureaucratic structures producing no effects on the ground. Third, these are but initial steps. The abilities and commitments of the few people who will be employed to flesh out the CEWARN skeletal structure will be crucial to future developments. For at the heart of any institution is the quality of the people employed to make it work. The beginning is small. But the significance of this initiative is very large in the effort to transform a society from one in which violent conflict is endemic to one which can foster economic growth in a climate of peace.

EXTENSIVE CONSULTATION WITH LOCAL AND NON-TRADITIONAL ACTORS

As discussed in chapter 7, there is deep mutual suspicion between members of civil society and government officials. Periodically, these suspicions threatened to erupt and damage the whole CEWARN development process. On the whole, however, both groups gained knowledge and confidence in one another. Other more serious and deeply rooted conflicts threatened the process from time to time. Participation of civil society representatives from the south who supported separatism threatened Sudanese government representatives' commitment

to maintaining an integrated state, controlled from Khartoum, when language was introduced that appeared to threaten that goal. Similarly, the distrust between Ethiopia and Eritrea sometimes prevented one group of representatives from participating when the process breached current protocols of distrust. Yet in the whole process we never observed any inter-personal distrust. The distrust always reflected the larger conflicts extant in the region.

A key achievement was the Khartoum Declaration passed in November 2000, which saw the heads of state take a crucial step toward the inter-governmental organization when they acknowledged the need to work with a non-traditional partner: civil society. This in itself incorporates one of the major lesson learned in early warning that it 1) cannot be done alone, and 2) is best done by incorporating as many actors as possible, especially at the local and grass-roots level. Such an approach tends to favor sustainability and, again, is much closer to creating a "culture of prevention" than top-down approaches or the high politics of preventive diplomacy.

BUILDING STRONG LINKAGES

The key challenge is proper and sustainable implementation of the protocol, so that it does not become another meaningless piece of paper. Linkages are important at two levels, first between the CEWARN mechanism at the IGAD secretariat and the in-state CEWERUs, and second between state actors and civil society involved in the analytical process.

Thus, especially in the cases where the in-state CEWERUs are not the ones to respond to a warning issue (an issue that still needs to be finalized as CEWARN is institutionalized), a crucial CEWARN task will be to provide clear linkages with important decision makers within IGAD member states and possibly with international organizations acting as IGAD partners abroad. Lack of such linkages, as the Rwanda example (see chapter 3) shows, leads to failure, even in light of clear warnings.

Strong linkages between diverse actors and stakehold-

ers hold the comparative advantage of drawing in different capacities and resources (both for research and response) as well as different points of view. Non-state actors are likely to think different than state actors, have different restraints, and thus are likely to come up with different case scenarios and policy options. These different view points and capacities for action, if joined together, can lead to a more comprehensive conflict early warning, response and management system than government or civil society could achieve on their own (see chapter 6).

CAPACITY BUILDING: TRAINING

The initial two-year phase of developing CEWARN has focused a lot on raising awareness during both the assessment and action phase in order to stress the importance of conflict early warning, prevention, and management, explain its feasibility (and necessity), and build a solid foundation for common understanding and terminology (see chapter 3).[11] While it is important to continue such awareness raising, while implementing the mechanism over the coming years with other governmental and non-governmental actors, the success of CEWARN so far has shown that a great deal has already been achieved in the way of understanding conflict early warning, prevention, and management, as well as their importance for the region.

More important now is targeted skills training to equip IGAD and the member states with qualified people who can staff CEWARN and the CEWERUs, thus bringing the whole mechanism to life. Training, in contrast to awareness raising, is geared toward transmission of knowledge and skills necessary to perform a certain task (here conflict prevention). This may include skills in information collection, analysis, formulation of case scenarios, translation of knowledge into response options, and also more practical conflict management (mediation) and resolution skills. Obviously, skills training should be targeted to strengthen capabilities to fulfill specific tasks a certain organization (or section) is mandated with (this means

not everybody has to know it all). The more general task – transmission of basic knowledge and common language – lies in the realm of raising awareness.

Training as an important form of capacity building is not a novel concept. Yet it is important to note that skills training should also be practiced universally. This means, it is not enough just to train junior staff, especially if they later have to work with more senior decision-makers lacking a similar set of skills. This can lead to competition, misunderstanding, and blockage. Thus, training should also be targeted at higher levels, even if the skills transmitted vary slightly from those taught to more junior (and hence inexperienced) staff. As CEWARN is a rather novel concept, it is advisable to make training mandatory for everybody who will work within this mechanism, be it government or civil society actors. This is clearly a task for IGAD to coordinate in the inception phase and to follow up during the coming years to ensure that CEWARN and CEWERUs are always linked to the most recent knowledge.

EVALUATION AND ADAPTATION

This book has stressed the fact that CEWARN is a work in progress. The next operational years are extremely important in establishing a functional mechanism and, as Chapter 8 emphasized, one with solid legal foundations. It is important for CEWARN to build its periodic evaluations into the operational phases in order to see how much of the initial concept has been realized – and what challenges remain. It is possible that certain issues and problems are not visible and that CEWARN needs to be adapted as some challenges become clearer. Thus, part of the success of CEWARN will be its ability to critically self-evaluate and adapt to encountered realities.

It is expected that evaluation of this approach will be undertaken at the end of the first two years, just after 2004. If solid progress and results are indicated relative to the modest inputs, IGAD will be in a position to expand its institutional apparatus and efforts and begin to attack some larger violent conflict situations more systematically. Thus, if similar efforts

are employed after that period (such as current efforts in fostering the Sudanese peace process), they would be backed by a significant infrastructure of information gathering and analysis as well as a communication system that is crucial to enhancing any conflict management and mediation process.

SUMMARY

In closing, this book has outlined the process of establishing a conflict early warning, prevention, and management mechanism (CEWARN) for IGAD. As this is the first systematic exercise for a regional organization in this area, it makes the contributions of this book unique. We have tried to outline the process and methodologies applied as best as we can and conclude this book with the confidence that we have documented a process worth pursuing and supporting in the future.

Ultimately, confidence building lies at the heart of developing effective early warning, prevention, and conflict management systems. What is most heartening to the consultants brought in with their general expertise in conflict early warning, prevention and management is the extent to which initial scepticism on all sides diminished, and governments, IGAD officials, and representatives of civil society bought into the language and approach, so that the concepts integral to this result were echoed in the speeches of all key stakeholders. This shift toward a more inclusive language and approach, and the awareness created among a key constituency in the IGAD region, provides fertile ground for institutionalizing conflict early warning, prevention, and management in the region (see chapter 3).

NOTES

i   See here Michael S. Lund, "Preventive Diplomacy for Macedonia, 1992-1999: From Containment to National Building." *Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-Cold War World,* ed. Bruce W. Jentleson, (Lanham, Maryland: Rowman and Littlefield (for the Carnegie

Commission on Preventing Deadly Conflict), 2000) and Heather F. Hurlburt, "Preventive Diplomacy: Success in the Baltics." *Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-Cold War World*, ed. Bruce W. Jentleson, (Lanham, Maryland: Rowman and Littlefield (for the Carnegie Commission on Preventing Deadly Conflict), 2000).

ii   This section draws heavily from Susanne Schmeidl and Laurent Goetschel, "Practical Capacity-Building as Tool for Mainstreaming Conflict Prevention: Awareness Raising, Training and Analytical Capacities," paper presented at the annual conference of the Conflict Prevention Network on "Mainstreaming Conflict Prevention" (The Hague, Netherlands, June 8-9, 2001).

APPENDICES

APPENDIX A:

AGREEMENT ESTABLISHING THE INTER-GOVERNMENTAL AUTHORITY ON DEVELOPMENT (IGAD)

ASSEMBLY OF HEADS OF STATE AND GOVERNMENT

IGAD/SUM-96/AGRE-Doc
Nairobi, 21 March 1996

INTRODUCTION

The Intergovernmental Authority on Development (IGAD) superseded the Intergovernmental Authority on Drought and Development (IGADD) established in 1986 by the then drought afflicted six Eastern African countries of Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda. The State of Eritrea was admitted as the seventh member of the Authority at the 4th Summit of Heads of State and Government in Addis Ababa, September 1993.

Although IGADD was originally conceived to coordinate the efforts of member states to combat drought and desertification, it became increasingly apparent that the Authority provided a regular forum where leaders of the Eastern African countries were able to tackle other political and socio-economic issues in a regional context. Realising this the Heads of State and Government of Djibouti, Eritrea, Ethiopia, Kenya, Sudan and Uganda, at an extra-ordinary Summit on 18 April 1995, resolved to expand the mandate of IGADD and made a declaration to revitalise IGADD and expand cooperation among member states. The revitalised IGADD was renamed the

Intergovernmental Authority on Development (IGAD).

AGREEMENT ESTABLISHING THE INTER-GOVERNMENTAL AUTHORITY ON DEVELOPMENT (IGAD)

The Republic of Djibouti
The State of Eritrea
The Federal Democratic Republic of Ethiopia
The Republic of Kenya
The Republic of Somalia
The Republic of Sudan
The Republic of Uganda

Considering the well established ties of brotherhood and fruitful co-operation existing among our peoples and governments;

Cognizant of the wide ranging similarities of present and future challenges and interdependence of our countries as well as the extensive complementarities of our natural resource endowments;

Convinced that Africa's ability to meet the challenges for promoting sustained economic growth, its ability to interact and compete in the global economy on behalf of its inhabitants will depend on collective self reliance and on its determination and ability in pooling its considerable natural endowments and human resources through appropriate, sustainable and practical arrangements for co-operation as stipulated in the Treaty Establishing the African Economic Community;

Recalling further the spirit, principles and objectives of the Treaty Establishing the Common Market for Eastern and Southern Africa (COMESA);

Mindful of our responsibility to guarantee the economic secu-

rity and development of our peoples in order to minimize the vulnerability of our States;

Confident that the development of economic cooperation and integration between the countries of the region will contribute to the achievement of the purposes set forth in the Charters of both the OAU and the United Nations;

Resolved to pursue comprehensive cooperation on the basis of equality and mutual benefit with the view to achieving economic integration;

Convinced of the need for concerted efforts to combat drought and other natural or man-made disasters;

Inspired by the noble purpose of promoting peace, security and stability, and eliminating the sources of conflict as well as preventing and resolving conflicts in the sub-region;

Recalling our Declaration of 18 April 1995 in Addis Ababa, Ethiopia on the vital need for a more expanded cooperation among our countries within the framework of an expanded and revitalised IGADD;

hereby agree on the following:

Article 1
Definition of Terms

"Agreement" means the Agreement establishing the Inter-Governmental Authority on Development (IGAD).

"Principal Agreement" Means the Agreement establishing the Inter-Governmental Authority on Drought and Development in Eastern Africa (IGADD).

"Council" means the Council of Ministers established under Article 8 of the Agreement.

"Committee" means the Committee of Ambassadors established under Article 8 of the Agreement.

"Assembly" means the Assembly of Heads of State and Government of the Authority established under Article 8 of the Agreement.

"Member State" means a member of the Authority

"Executive Secretary" means the Chief Executive officer of the Authority established under Article 13 of the Agreement.

"Protocol" means an instrument of implementation of the Agreement, having the same legal force as this Agreement.

Article 1A
Establishment and Legal Status
a) An Inter-Governmental Authority on Development (IGAD) hereinafter referred to as the "Authority" is hereby established.
b) Membership shall be open only to African States in the sub-region which subscribe to the principles, aims and objectives enshrined in the Agreement.
c) New members shall be admitted by a unanimous decision of the Assembly.
d) Application for membership shall be made by means of an official written request to the Assembly.

Article 2
The Headquarters of the Authority shall be located at Djibouti in the Republic of Djibouti.

Article 2A
The Assembly may establish and locate any institution of the Authority in any Member State based on functional considerations and equitable distribution of activities of the Authority in the Member States

Article 3
The Authority shall have the capacity of a legal person to perform any legal act appropriate to its purpose, in accordance with the provisions of the present Agreement. In particular, it shall have the capacity (a) to contract (b) to acquire and dispose of immovable and movable property and (c) to institute legal proceedings. The Authority shall, in the exercise of its legal personality, be represented by the Executive Secretary.

Article 4
The Authority shall negotiate a Headquarters' agreement with the Host State.

Article 5
The Host Government shall accord the Authority and its personnel the necessary privileges and immunities to facilitate its activities. These privileges and immunities shall not be lesser than those accorded to other regional or international organizations of comparable status.

Article 6
The Member States agree to extend to the Authority and its personnel such privileges and immunities as may be necessary for carrying out their tasks within their respective national territories and as are accorded to personnel of other regional or international organisations on mission.

Article 6A
Principles

The Member States solemnly reaffirm their commitment to the following principles:

a) The sovereign equality of all Member States;
b) Non-interference in the internal affairs of Member States;
c) The peaceful settlement of inter- and intra-State conflicts through dialogue;
d) Maintenance of regional peace, stability and security;
e) Mutual and equitable sharing of benefits accruing from cooperation under this Agreement;
f) Recognition, promotion and protection of human and people's rights in accordance with the provisions of the African Charter on Human and People's Rights.

Article 7
Aims and Objectives

The Aims and Objectives of the Authority shall be to:

a) Promote joint development strategies and gradually harmonize macro-economic policies and programmes in the social, technological and scientific fields;
b) Harmonize policies with regard to trade, customs, transport, communications, agriculture, and natural resources, and promote free movement of goods, services, and people and the establishment of residence;
c) Create an enabling environment for foreign, cross-border and domestic trade and investment;
d) Achieve regional food security and encourage and assist efforts of Member States to collectively combat drought and other natural and man-made disasters and their consequences;
e) Initiate and promote programmes and projects for sustainable development of natural resources and

environment protection;

f) Develop and improve a coordinated and complementary infrastructure, particularly in the areas of transport and energy;

g) Promote peace and stability in the sub-region and create mechanisms within the sub-region for the prevention, management and resolution of inter and intra-State conflicts through dialogue;

h) Mobilize resources for the implementation of emergency, short-term, medium-term and long-term programmes within the framework of sub-regional cooperation;

i) Promote and realize the objectives of the Common Market for Eastern and Southern Africa (COMESA) and the African Economic Community;

j) Facilitate, promote and strengthen cooperation in research, development and application in the fields of science and technology.

k) Develop such other activities as the Member States may decide in furtherance of the objectives of this Agreement.

Article 8
Structure and Operation
The Authority shall comprise the following organs:

a) An Assembly of Heads of State and Government;
b) A Council of Ministers ;
c) A Committee of Ambassadors;
d) A Secretariat

Article 9
The Assembly of Heads of State and Government
1) The Assembly of Heads of State and Government is the supreme organ of the Authority.

2) The functions of the Assembly shall be to:

a) Make policy, direct and control the functioning of the Organisation;
b) Determine the main guidelines and programmes of cooperation;

c) Give guidelines and monitor political issues especially on conflict prevention, management and resolution;

d) Appoint the Executive Secretary upon the recommendation of the Council of Ministers;

e) Approve the scale of assessment of contributions of Member States to the budget the Authority upon the recommendation of the Council of Ministers.

3) The Assembly shall meet at least once a year and at any time upon the request of any of the Member States upon agreement of the majority of its members.

4) The decisions of the Assembly of Heads of State and Government shall be reached by consensus.

Article 10
The Council of Ministers

1) The Council shall be composed of the Ministers of Foreign Affairs and one other focal Minister who shall be designated by each Member State.

2) The functions of the Council shall be to:

a) make recommendations to the Assembly on matters of policy aimed at the efficient functioning and development of the Authority;

b) approve the budget of the Authority;

c) review the operations of the Authority and guide its work in accordance with the Agreement;

d) oversee the functioning of the Secretariat;

e) promote, monitor, coordinate and harmonize initiatives for realizing the Authority's objectives.

f) prepare the agenda for the Assembly;

g) monitor the implementation of the decisions of the Assembly;

h) promote peace and security in the sub-region and make recommendations to the Assembly;

i) receive and review reports from subsidiary organs and make recommendations to the Assembly;

j) monitor and enhance humanitarian activities;

k) follow up political and security affairs which include

conflict prevention, management and resolution as well as post conflict peace building;

l) approve staff and financial rules and regulations;

m) undertake any other functions assigned by the Assembly.

3)   The Council may establish ad hoc sectoral Ministerial committees to deal with issues in their respective sectors. The committees shall meet as often as may be necessary for the attainment of the objectives of the Agreement. The specific terms of reference of the committees shall be agreed upon by Member States in consultation with the Secretariat.

4)   The Council shall meet twice a year and at any time at the request of any of the Member States upon the agreement of the majority of its members.

5)   All decisions of the Council shall be reached by consensus. If however the Council fails to reach an agreement by consensus, a decision shall be taken by two third majority of members present and voting by secret ballot as long as such members constitute a legal quorum.

Article 11
The Committee of Ambassadors

1)   The Committee of Ambassadors shall comprise Member States' Ambassadors or Plenipotentiaries accredited to the country of the Headquarters of the Organization. The Committee of Ambassadors shall report to Council.

2)   The functions of the Committee of Ambassadors shall be:

a) Advise the Executive Secretary on the promotion of his efforts in realizing the work plan approved by the Council of Ministers;

b) Guide the Executive Secretary on the interpretation of policies and guidelines which may require further elaboration;

3)   The Committee shall hold meetings as and when necessary at the Secretariat to follow-up the activities of the

Secretariat and shall in turn advise their respective Member States.
4)   All decisions of the Committee shall be reached by consensus. If however the committee fails to reach an agreement by consensus, a decision shall be taken by two-third majority of members present and voting as long as such members constitute legal quorum.

Article 12
The Secretariat

1)   The Secretariat is the executive body of the Authority and shall:
   a) be headed by an Executive Secretary to be appointed by the Assembly for a term of four years renewable once;
   b) have its own staff and be assisted by experts and technicians made available to it by Member States.

2)   The functions of the Secretariat shall be:
   a) to implement the decisions of the Assembly and the Council;
   b) to prepare draft proposals and agreements on matters arising from the decisions and recommendations of the Assembly and the Council;
   c) to prepare surveys, studies, information and guidelines on legal, political, economic, social, cultural and technical matters of common concern to, and essential for broadening and deepening cooperation among Member States;
   d) to initiate, identify and coordinate development programmes and projects;
   e) to be responsible to service the meetings of the Assembly, Council of Ministers and that of the other policy organs.
   f) to assist the policy organs in their work relating to political and humanitarian affairs.
   g) to perform such other functions as entrusted to it by any organ of the Authority.

Article 13
The Executive Secretary

The Executive Secretary shall be the chief executive officer of the Secretariat with the following duties and responsibilities:

a) initiate measures aimed at promoting the objectives of the Authority;

b) promote cooperation with other organizations in the furtherance of the objectives of the Authority.

c) consult and coordinate with the Governments and other institutions of Member States to ensure conformity and harmony with agreed policies, programmes and projects.

d) organize meetings of the Assembly, the Council and any other meetings convened on the direction of the Assembly or the Council;

e) prepare recommendations concerning the work of the Authority for consideration by the appropriate policy organ;

f) serve as custodian of documents and property of the Authority;

g) administer the finances of the Authority;

h) prepare annual reports of the Authority;

i) submit a report on the activities of the Authority and its financial conditions to the regular sessions of each Council;

j) prepare the Budget of the Authority for submission to the Council;

k) negotiate, with the approval of the chairman of Council, with other States and international organizations in order to obtain financial and technical assistance on behalf of the Authority;

l) perform such other functions as may be determined by the Summit or Council from time to time;

Article 13 A
Areas of Cooperation

Member States agree to develop and expand cooperation and undertake to:

a) enhance cooperation and coordination of their macroeconomic policies in the areas of sustainable agricultural development and food security;

b) improve the handling and analysis of data in agro-meteorology and climatology, nutrition, social and economic indicators and establish a strong food information system.

c) coordinate and strengthen effective mechanisms for monitoring and control of migrant pests, spread of animal and plant diseases and pests;

d) cooperate in improving their capacity in agricultural research, training and extension services;

e) coordinate their effort to:
   - preserve, protect and improve the quality of the environment,
   - ensure the prudent and rational utilization of natural resources,
   - develop harmonious environmental management strategies and policies.
   - strengthen national and sub-regional meteorological networks and services.
   - strengthen the sub-regional seismological network.
   - strengthen the hydrological networks and services.
   - strengthen land resource monitoring systems.
   - promote environmental education and training.

f) coordinate their efforts towards the sustainable management and utilization of shared natural resources.

g) harmonize existing national plans of action for marginal lands and dry lands management and control of land degradation in line with the resolution of Urgent Action for Africa under the UN Convention to Combat Desertification (UNCCD). In this regard Member States shall prepare National Action Programmes to implement the UNCCD;

h) support the elaboration of Sub-regional Action Programmes for the implementation of the UNCCD in line with the Implementation Annex for Africa under the Convention.

i) work towards the promotion of trade and gradual harmonization of their trade policies and practices and the elimination of tariff and non-tariff barriers to trade so that it can lead to regional economic integration;

j) gradually harmonize their transport and communication policies, and development of infrastructure and remove physical and non physical barriers to inter state transport and communications;

k) cooperate in the gradual harmonization of their fiscal and monetary policies;

l) create an enabling environment for cross border investment and gradually harmonize their investment policies.

m) cooperate in increased sustainable utilization and development of energy resources in the sub-region, and in the gradual harmonization of their national energy policies and energy development plans.

n) cooperate in the gradual harmonization of their national policies in scientific and technological research and development, transfer of technology, and their policies on capacity building in science and technology in the sub-region;

o) facilitate the free movement and right of establishment of residence of their nationals within the sub-region;

p) promote social and cultural exchanges as an effective means of consolidating regional cooperation and understanding.

q) respect the fundamental and basic rights of the peoples of the region to benefit from emergency and other forms of humanitarian assistance.

r) at the national level and in their relations with one another, be at all times guided by the objectives of

saving lives, of delivering timely assistance to people in distress and of alleviating human suffering. In this regard, Member States shall facilitate the movement of food and emergency supplies in the event of man-made or other natural disasters from surplus of deficit areas.

s) facilitate repatriation and reintegration of refugees, returnees and displaced persons and demobilized soldiers in cooperation with relevant governmental and non-governmental organizations in accordance with the existing national, regional and international instruments;

t) work out programmes and projects that could help establish a relief, rehabilitation and development continuum."

RESOURCES

Article 14

a) The finances of the Authority shall be derived from contributions of Member States as well as assistance from other sources.

b) Member States shall promptly pay their annual con-tributions to the budget of the Authority on the basis of formula approved by the Assembly.

c) Any Member State which, without the dispensation of the Assembly, falls in arrears of its financial contri-butions to the Authority for the preceding two years and above shall:

i) be barred from speaking and voting at the meetings of Experts and Policy Organs of the Authority;

ii) be barred from presenting candidates for managerial positions at the Secretariat;

where the Authority secures bank overdraft facilities to cover for such non contribution be liable to pay interest accruing on such overdrafts.

Article 15
The Authority is empowered to receive donations and grants.

Article 16
The Authority shall set up a Special Drought Fund to be used during emergencies.

Article 17
Protocols
    a) Member States shall conclude such protocols as may be necessary to execute the aims and objectives of this Agreement.

    b) Each protocol shall be approved by the Assembly on the recommendation of the Council, and shall thereafter become an integral part of this Agreement.

Article 18
Relations with other organizations
In pursuit of its aims and objectives under this Agreement, the Authority may enter into agreements with other regional organizations and with intergovernmental and non-governmental agencies and non-member states.

Article 18A
Conflict Resolution
Member States shall act collectively to preserve peace, security and stability which are essential prerequisites for economic development and social progress. Accordingly Member States shall:

    a) take effective collective measures to eliminate threats to regional co-operation peace and stability;

    b) establish an effective mechanism of consultation and cooperation for the pacific settlement of differences and disputes;

    c) accept to deal with disputes between Member States within this sub-regional mechanism before they are referred to other regional or international organisations.

GENERAL PROVISIONS

Article 19
The present Agreement may be amended following an official written request from any Member State to the Chairman of the Council of Ministers. An Amendment shall only come into effect after it has been approved by consensus failing that it shall come into effect after approval by two thirds of the Member States.

Article 20
The present Agreement shall be approved or ratified by the signatory States or acceded to by new members in accordance with the respective constitutional procedures of each State.

Article 21
The present Agreement shall enter into force one month after a majority of signatory States have filed their official written approval or ratification documents with the Republic of DJI-BOUTI.

Article 22
   a) Any Member State wishing to withdraw from the Authority shall give to the Chairman of the Assembly one year's written notice of its intention to withdraw and at the end of such year shall, if such notice is not withdrawn, cease to be a Member State of the Authority.

   b) During the period of one year referred to in the preceding paragraph, a Member State wishing to withdraw from the Authority shall nevertheless observe the provisions of this Agreement and shall remain liable for the discharge of its obligations under this Agreement.

Article 23
The original text of the Agreement as well as any instrument of approval, ratification or accession shall be deposited with the

Government of the Republic of DJIBOUTI which shall notify all Member States of its entry into force as well as the deposit of the instrument of approval, ratification or accession.

Article 24
Both **English and French** versions of this Agreement are authentic.

IN FAITH WHEREOF, the undersigned have placed their signatures at the end of this Agreement.

APPENDIX B:

OVERVIEW OF KEY ACTIVITIES AND OUTCOMES OF THE CEWARN PROJECT

(overleaf)

TIME LINE	ACTIVITY	OUTPUT
1996	IGAD revitalization	IGAD mandate for conflict prevention, management and resolution
April 1998	Formulation of conflict prevention, management, and resolution program leading up to an International Partners Forum (IPF) technical experts meeting.	Statement of objectives for conflict prevention, management and resolution (comprised of five core program areas)
1998-1999	Detailed conceptualization of core program areas and fundraising.	Terms of references for core program areas; donor support secured for selected programs
1999	Refinement of TOR for Project 4: Conflict early warning and response mechanism (CEWARN) for the IGAD region with key donors.	USAID and GTZ support secured for CEWARN project
Fall 1999	GTZ Global tender process for an organization to implement Project 4.	Applications from interested organizations (FEWER is among them)
November 1999	IGAD and donors shortlist applicants and call for full proposals.	Submission of detailed proposals (FEWER is short-listed and begins to identify experts from member organizations and independent consultants to form research team)
January 2000	Selection of organization to implement Project 4.	FEWER is awarded the contract for services
February-March 2000	Contractual negotiations.	Contract finalized (FEWER breaks project into specialized areas, selects team leaders, and enters into subcontracts with member organizations and consultants)
24-27 April 2000	Start-up meeting in IGAD secretariat in Djibouti with IGAD staff and donors.	Refined work plan
May-June 2000	Assessment phase culminating in research team meeting in London (19-20 June) to review and consolidate field research.	First report: assessment and CEWARN concept proposal
5-6 July 2000	First regional consultation with policy makers and civil society on concept proposal for CEWARN (Nairobi, Kenya).	Refined CEWARN concept proposal, more entry points identified

TIME LINE	ACTIVITY	OUTPUT
July-August 2000	Development of TOR and commissioning of research for assessment of in-state capacities for early warning (EW) and conflict management (CM).	Case studies on existing capacities for EW and CM in the IGAD region
11-12 September 2000	Second regional consultation with policy makers and civil society on linking in-state early warning and conflict management capacities with CEWARN (Kampala, Uganda).	Second report: linking CEWARN to existing in-state structures and initial proposals for Year II action phase
September-October 2000	Preparation of draft protocol outlining the principles for establishing CEWARN.	Draft protocol
30-31 October 2000	Legal experts meeting with representatives from IGAD member-states for a first reading of the draft protocol (Asmara, Eritrea).	Summary report of activities including refined draft protocol
Mid-November 2000	IGAD summit, presentation of summary report (Khartoum, Sudan) by the IGAD secretariat.	• Endorsement of CEWARN proposal • Directive to prepare a detailed protocol on CEWARN (to be reviewed in 2001) • Call for involvement of civil society in IGAD activities and directive to develop formal mechanisms for consultation with civil society
December 2001	IGAD and donors mandate FEWER to prepare proposal for Year II.	Proposal for Year II activities

TIME LINE	ACTIVITY	OUTPUT
3-4 May 2001	High-level government meeting with representatives from ministries of security, foreign affairs, and intelligence from all IGAD member states (Somalia is present for the first time) – (Nairobi, Kenya).	In-depth consultation on the institutional form of in-state conflict early warning and response mechanisms (CEWERUS) and their relationship to CEWARN
May-July 2001	Development of TOR and commissioning of research to assess intra- and inter-state capacities for early warning and conflict management as related to entry point of conflicts in pastoral areas in the selected border areas.	Case Study I: Ethiopia, Kenya, Somalia border area Case Study II: Kenya, Uganda, Sudan border area
May-November 2001	Preparation of manuscript for publication.	Publication: Inter-Governmental Authority on Development (IGAD): Early Warning and Conflict Management in the Horn of Africa (Red Sea Press)
30-31 August 2001	Case study workshop (Addis Ababa, Ethiopia).	Refined operational structure for cross-border early warning and conflict management mechanisms addressing the issue of conflicts in pastoral areas
3-4 September 2001	Legal experts meeting on draft supplementary protocols for CEWARN.	Protocol on principles for establishing CEWARN and supplementary protocols on a) rules governing information sharing b) decision-making structure
October 2001	Preparation of Implementation plan to establish CEWARN	CEWARN implementation plan
December 2001	IGAD summit, presentation of protocol on CEWARN for ratification by heads of state.	Ratification of CEWARN protocol anticipated

APPENDIX C:

KHARTOUM DECLARATION OF THE 8TH SUMMIT OF HEADS OF STATES AND GOVERNMENT

Khartoum, 23rd November 2000

We, heads of states and governments of the Inter Governmental Authority on Development (IGAD) of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan and Uganda, having met in Khartoum under the chairmanship of HE Umar Hasan Al-Bashir, president of the Republic of Sudan, and carried out extensive discussions of ways and means of consolidating our cooperation in various political, economic, social, humanitarian and other areas, have agreed on the following:

1. Political Development in the region:
1.1 We express satisfaction at the positive political development that has started to prevail in the subregion. This augurs well for the endeavours of maintaining peace and stability in our member countries and for creating a conducive atmosphere for the realization of the noble goal of peace, development and integration through enhanced efforts of collective subregional cooperation.

1.2 On the conflict between Ethiopia and Eritrea
We note with satisfaction the cessation of hostilities between Ethiopia and Eritrea and we congratulate the two countries for having reached and signed a cessation of hostilities agreement to this effect. It is our conviction that the implementation of this agreement, under OAU auspices, will bring a permanent solution to the conflict between them.

1.3 On the Somalia and southern Sudan peace processes
We have undertaken extensive consultations on the

Somalia and southern Sudan peace process and, after hearing reports on both, we have adopted the resolutions attached to this declaration.

2. Enhancing subregional cooperation in the new millennium

2.1 We further recognize the need for our countries and peoples to come together and join efforts to meet the challenges that confront our region as we enter the new millennium. We are, therefore, convinced that out peoples have the right to live in peace and rekindle their aspiration for stronger and cohesive unity transcending cultural, ideological and national difference. We furthermore commit ourselves to promoting participatory democracy and adapt it to suit local conditions in our member states. We also dedicate ourselves to promoting freedom of expression and association, transparency, good governance, and the rule of law in our member states.

2.2 All forms of human rights, civil, cultural, economic, social and political are integral and indivisible rights of our peoples. We, therefore, reaffirm our commitment to respect human rights and ensure their prevalence and protection through effective systems as a guarantee of, and a necessary factor for, sustainable development.

2.3 We encourage the establishment of regional associations of professional unions, chambers of industries and commerce, parliamentarian unions and non-governmental organisations (NGOs) and civil societies of member states with the aim of promoting popular participation of the civil society as important players in issues related to fundamental freedoms and the well-being of our peoples. We also direct the IGAD secretariat to coordinate activities of national NOGs of the member states and involve them in action as and when the need arises.

2.4 We also encourage the facilitation and expansion of inter-state trade among member countries of the sub-

region and request the IGAD Secretariat to study the draft agreement proposed by Sudan, in this respect, with a view to formulating a draft trade protocol to be submitted to the next ministerial meeting for consideration and possible approval.

2.5 We express out determination to the promotion of regional economic cooperation and urge IGAD member states to take the necessary measures for the implementation of cross-border projects of a regional nature, in particular infrastructure projects in the area of transport, communication and power. This involvement of the private sector in various regional ventures including trade service shall be encouraged in view of the increasing role it is expected to play in accelerating regional integration.

2.6 We recognize the important role played by IGAD Partners Forum (IPF) and urge the international community to contribute generously to promoting projects and programmes. We further urge IGAD secretariat to vigorously pursue resource mobilization with IPF and other non-traditional international donor agencies with a view to accelerating implementation of IGAD's policy harmonization programmes, priority projects, in particular regional infrastructure projects. In this regard, we express our concern at the selectivity policy of donors in financing regional projects as such selectivity is detrimental to regional and integration efforts. We endorse the resolutions by the 20th Council of Ministers of IGAD on the relations with partners.

2.7 We view with concern the current drought afflicting our region and reaffirm our resolve to combat natural an man-made disasters. In this respect, we reiterate the need to establish a disaster preparedness mechanism and strengthen the Nairobi-based Drought Monitoring Centre (DMC) to enable IGAD member states to respond more effectively in mitigating the impact of drought.

2.8 We reiterated our individual and collective commit-

ment to the implementation of the United Nations Convention to Combat Desertification (UNCCD) aimed at addressing the menace of caused by drought and desertification, and further agree to establish National Desertification Funds (NDFs) and Subregional Facilitation Fund (SRFF) to support implementation of National Action Programmes (NAPs) and Subregional Action Programmes (SRAP).

2.9 We recognize the enormous potential for the region to be self-sufficient in food production. In this respect, we urge IGAD member states to formulate national and regional food security programmes and to take advantage of scientific and technological means for the improvement of production and productive capacities. We confirm our resolve to mobilize and utilize human and natural resources of our region with the aim of achieving food security.

2.10 We commend the "Inter-Agency Task Force on the UN response to long-term food security, agricultural development and related aspects in the Horn of Africa" for its report on food insecurity in the Horn of Africa, and appeal to the donor community to contribute to the implementation of the recommendations contained therein.

2.11 We call upon Food and Agricultural Organization, World Health Organization, IBAR [expansion untraced], OAU, to determine whether there is an outbreak of Rift Valley Fever (RVF) and assist IGAD member states to overcome the problem of livestock export ban, and avert its severe social and economic impact that will result if the ban continues.

2.12 We call upon our celebrated national intellectuals living in diaspora to participate in development of the subregion by:-
a) Enhancing our capacity in negotiation and lobbying for better agreements in the emerging technologies and markets,
b) Assisting the region in monitoring international

trends in information technology and biotechnology in order to be beneficiaries of such innovations.

c) Developing alliances and partnerships with other institutions in order to improve acquisition of relevant science and technology for utilization and management of transboundary natural resources.

3. Privatization of the IGAD Secretariat and institutional matters

3.1 We reaffirm our commitment to strengthening the authority and to making it more responsive and better adapted to the changing needs in view of the challenges inherent in globalisation and the new millennium. We therefore reiterate our commitment to timely pay our assessed contributions and settle all arrears.

3.2 We endorse the establishment of a mechanism in the IGAD subregion for the prevention, management and resolution of inter-state and inter-state conflicts, and direct the executive secretary to prepare a draft protocol on the establishment of the Conflict Early Warning and Response Mechanism (CEWARN) for consideration by the assembly at its next meeting.

3.3 We appreciate the support IGAD has received in the establishment within the secretariat of women's desk and a plan of action which was endorsed by IGAD ministers in charge of gender affairs, as an institutional policy framework to ensure mainstreaming gender into IGAD priority projects and programmes.

4. Implementation of decisions

We mandate IGAD focal point ministers to take the necessary measures towards the implementation of the above-mentioned decisions as soon as possible. We also call on the executive secretary as matter of priority, to take all appropriate measures to follow up the implementation of these decisions.

APPENDIX D:

TERMS OF REFERENCE FOR NATIONAL CONSULTANTS' STUDY ON IN-STATE EARLY-WARNING MECHANISMS AND THEIR POTENTIAL LINKAGE TO THE IGAD CEWARN MECHANISM

- CEWARN is the proposed conflict early-warning and response mechanism of the Intergovernmental Authority on Development (IGAD) — Please read the attached report to familiarize yourself with the process and proposals.
- In-state early-warning and conflict-management mechanisms refers to existing and planned efforts in IGAD member states in the area of early warning.
- Early-warning systems are generally defined as encompassing:
  - The systematic collection of information.
  - Analysis of information.
  - Drafting of case scenarios.
  - Translation of analysis into response options.
  - Communications to decision-makers.

I. Background

The Inter-governmental Authority on Development (IGAD) is a sub-regional organization comprised of seven countries in the Horn of Africa: Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, and Uganda.

Following the revitalization of IGAD and its shift towards a broader development mandate, the issues of peace and security in the region were prioritised. Creation of a conflict early-warning mechanism (CEWARN) for IGAD has been identified within the peace and security agenda as a key area of concen-

tration in the institution's conflict-prevention, management-, and -resolution mandate.

The present consultancy is geared towards developing a conflict early-warning and response mechanism for the IGAD secretariat that envisions active participation of IGAD member states. As CEWARN proposes to build on and collaborate with in-state efforts in the areas of early warning and conflict management, it is important to gain a more in-depth understanding of existing initiatives.

II. Objective

Learning more about in-state mechanisms and ways to provide linkages to them is an integral part of the CEWARN consultancy process. This is due to the fact that the CEWARN design is based on networking and collaboration with in-state conflict early.warning and conflict-management institutions/tools and mechanisms within the sub-region. This requires a clear understanding of the nature and effectiveness of in-state mechanisms that exist within each IGAD member state in order to assess the potential for linkages between existing and planned in-state mechanisms and CEWARN.

III. Consultancy's Purpose:

The aim of the consultancy study is to (i) assess the feasibility of linking existing or planned in-state systems to the CEWARN mechanism and (ii) propose concrete modalities for linking in-state systems with CEWARN. The study should be divided into two parts:

Part 1

a) Describe existing and planned in-state mechanisms in the area of early warning and conflict prevention;

b) Provide a critical assessment of the strengths and weaknesses of these in-state mechanisms;

c) Conduct an assessment to determine the roles that identified and planned in-state mechanisms can play in implementing CEWARN;

d) Provide an overall assessment of the feasibility of IGAD's CEWARN mechanism (as described in the

report put forth by the IGAD/FEWER consultant team) in relation to identified and planned mechanisms; and

e) Identify in-state resources that are available and needed to support implementation of an early-warning mechanism.

Part 2

This focus of the report should be concentrated on the following points:

a) Assess the feasibility and modality of linking such mechanisms to the IGAD CEWARN mechanism; and

b) Propose concrete modalities for linking in-state early-warning mechanisms to CEWARN.

IV. Expected Results/Tasks and Activities:

The consultant is expected to produce an analytical paper of 15,000 words covering the areas outlined above (for more detail see the technical descriptions attached).

V. Time Frame

The consultant will be required to complete his/her work by 15 August 2000

In addition, the consultant is expected to present his/her paper at the second IGAD/CEWARN workshop to be held in Kampala, Uganda, 11-12 September 2000.

VI. Requirement

The consultant should have proven experience in the areas of early warning and conflict management. In addition, he or she should have sound knowledge of the in-state mechanisms that form the subject matter of this study.

APPENDIX E:

TERMS OF REFERENCE FOR CASE STUDIES ON THE ROLE OF CEWARN IN CONFLICTS IN PASTORAL AREAS ALONG BORDERS: PROPOSALS FOR CROSS-BORDER CONFLICT MANAGEMENT MECHANISMS

I. Background

CEWARN is the proposed conflict early-warning and response mechanism of the Intergovernmental Authority on Development (IGAD) — Please read the attached reports to familiarize yourself with the process and proposals.

In the previous year (2000) FEWER focused on developing CEWARN operations at the macro-level; this year's focus will be to elaborate the district-level structure. Specifically, the project will focus on the cross-border dimension of conflicts in pastoral areas and establish a basis for cooperation between intra-state and inter-state mechanisms.

The focus of this project phase will be to develop proposals for cross-border conflict-management systems in the following pastoral areas:

- Ethiopia, Kenya, Somalia border;
- Kenya, Uganda, Sudan border.

The aim will be to strengthen existing processes and mechanisms (in the spheres of both civil society sphere and the state) and explore ways in which civil society initiatives and state mechanisms can be integrated formally to achieve much greater impact.

The case studies focusing on the two border areas mentioned above will examine the nature of the problem and assess existing in-state and inter-state conflict-management mechanisms. Based on this analysis, proposals for an integrated cross-border conflict-management system will be developed. A participatory approach involving stakeholders at all levels to review and enrich the case studies findings will be adopted.

II. Consultancy's Purpose:

The aim is to develop a decentralized but integrated (state and civil society) cross-border conflict-management system for conflicts in pastoral areas along borders in the two target regions. This will be done by drawing on the conceptual framework developed for CEWARN last year.

III. Requirement

In order to allow for joint recommendations to be drawn from both case studies, they should cover the same issues and follow a similar outline (please try to adhere to this structure). The structure is meant less as a limitation on the author's analytical capacity than to serve as a guideline in teasing out specific questions that interested us.

The study should be divided into two parts:

Part 1

a) Provide a case overview (historical overview of conflicts in pastoral areas along the relevant borders), providing a short sketch of main issues and background information;

b) Describe existing and planned in-state conflict-management mechanisms in the target region, e.g., peace

and development committee structures;

c) Describe existing and planned inter-state conflict-management mechanisms in the target region, e.g., Kenya-Ethiopia joint border commission or the informal Kenya-Uganda community cross-border meetings and Oxfam-Garissa Peace and Development Committee's Kenya-Somalia cross-border initiative;

d) Provide a critical assessment of strengths and weaknesses of both in-state and inter-state conflict-management mechanisms.

e) How might IGAD's CEWARN enhance the ongoing/planned conflict-management activities described above?

Part 2

This focus of the report should be concentrated on the following points:

a) Provide an overall assessment of the feasibility of a decentralized integrated cross-border conflict-management system.

b) Propose concrete modalities for establishing such a system.

APPENDIX F:

DRAFT PROTOCOL ON THE ESTABLISHMENT OF A CONFLICT EARLY WARNING AND RESPONSE MECHANISM FOR IGAD MEMBER STATES

The Republic of Djibouti
The State of Eritrea
The Federal Democratic Republic of Ethiopia
The Republic of Kenya
The Republic of Somalia
The Republic of Sudan
The Republic of Uganda

Taking Note of the Agreement Establishing the Inter-Governmental Authority on Development (IGAD) *done in* Nairobi on 21 March 1996;

Recalling the principles and aims of maintaining regional peace, security and stability in the region;

Reaffirming the aim of promoting peace, security and stability in the sub-region and creating mechanisms within the sub-region for the prevention, management and resolution of inter and intra-state conflicts through dialogue;

Determined to act collectively to preserve peace, security and stability in the region;

Determined Further to take effective collective measures to eliminate threats to regional cooperation, peace, security and stability;

Inspired by the need to establish an effective mechanism of consultation and cooperation for the peaceful settlement of disputes;

Convinced of the need to respond early to conflicts in the region;

HAVE AGREED AS FOLLOWS:

Article 1
Definitions

"The Protocol" means the Protocol Establishing a Conflict Early Warning and Response Mechanism for IGAD member states;

"Establishing Agreement" means the Agreement Establishing the Inter-Governmental Authority on Development (IGAD);

"Member state" means a member of IGAD;

"The Mechanism" means the Conflict early Warning and Response Mechanism established by this Protocol;

"The Assembly" means the Assembly of Heads of State and Government of IGAD;

"The Council" means the Council of Ministers of IGAD;

"The Executive Secretary " means the Chief Executive Officer of IGAD

"The Secretariat" means the executive body of the Authority created by article 12 of the Establishing Agreement.

Article 2
Establishment of the Mechanism

1) A Conflict Early Warning and Response Mechanism is hereby established;

2) Only Member states which have ratified this protocol are entitled to participate in the activities of the Mechanism.

Article 3
Legal Status of the Mechanism
The Mechanism shall become an integral part of the Inter Governmental Authority on Development.

Article 4
Functions of the Mechanism
The functions of the Mechanism shall include the following:

a) Promote the exchange of information and collaboration among member states on conflict early warning and response;

b) Gather, process and analyse information about conflicts in the region;

c) Establish networks of cooperation in early warning and response among member states;

d) Create, manage and disseminate data bases of information on conflict early warning within the region;

f) Develop close cooperation among in-state early warning and response mechanisms in the member states;

g) Establish collaborative relationships, including information sharing, with similar international regional and sub-regional mechanisms in Africa;

h) Promote human and institutional capacity building in the area of conflict early warning and response;

I) Support the development of conflict early warning mechanisms within the member states;

j) Harmonise common information policies, and systems of conflict early warning in member states;

k) Design mechanisms for regional responses to cross border and trans-border humanitarian emergencies;

l) Collect and verify information relevant to the mitigation and prevention of violent conflict in the region;

m) Communicate such information and analysis to decision makers.

Article 5
Information

1) The Mechanism will only rely for its operations on information that exists in the public domain;
2) The Mechanism and its officials shall collect information within member states only through overt means;
3) Member states shall facilitate the collection and analysis of information within their territories by officials of the Mechanism;
4) The request for permission to collect information shall be forwarded to the member states by the Executive Secretary;
5) Officials of the Mechanism shall observe the laws and regulations of member states during the collection and analysis of information; in particular, they shall respect the confidentiality of information and its sources as required by member states;
6) Information shall be disseminated in such a manner and in such places as the member states will approve. Member states shall however not impose undue restrictions on the dissemination of information to authorised networks;
7) There will be Member States will conclude a technical protocol on the collection, sharing, and dissemination of information.

Article 6
Collaboration

1) Member States will cooperate and collaborate with the mechanism in the execution of its mandate;
2) The Mechanism will render technical assistance to the Member states in the establishment of the early warning and response mechanism;
3) In carrying out its functions, the Mechanism may collaborate with intergovernmental and non-govern-

mental organisations with the approval of the
Executive Secretary;

4) The Mechanism may, with the approval of the
Council enter into agreements with similar
Mechanisms.

Article 7
Relationship Between the Mechanism and the Secretariat

1) The Mechanism shall have operational autonomy;
2) The Mechanism will be located at the Headquarters
of IGAD;
3) The Mechanism shall be headed by a Director who
shall report to the Executive Secretary;
4) The Secretariat and the Mechanism shall share per-
sonnel, facilities, and equipment to the greatest
extent possible.

Article 8
Documentation

1) The Mechanism shall utilise existing documentation
facilities of the Secretariat;
2) Member states shall have the right of access to the
documentation facilities.

Article 9
Privileges and Immunities

Member states shall accord designated experts and officials on
special mission for the Mechanism the privileges and immu-
nities necessary for the performance of their activities. Such priv-
ileges and immunities shall not be lesser than those accorded
to officials of the Secretariat of comparable status.

Article 10
Resources of the Mechanism

    1) The Mechanism, in co-ordination with Executive Secretary, shall have the power to solicit and receive grants and donations related to the performance of its functions;

The resources of the Mechanism shall come from:

    1) Contributions from member states;
    2) Grants, donations and contributions from other sources approved by the Assembly on the advice of the Council.

Article 11
Amendments

    1) This Protocol may be amended on the request of a member state by giving ninety days notice in writing to the Chairman of the Council;
    2) Amendments to this Protocol shall take effect by consensus, or failing that, by a vote of two thirds of the member states.

Article 12
Signature, Ratification and Accession

    1) This Protocol shall be signed by the duly authorised representatives of the member states;
    2) This Protocol shall be subject to ratification in accordance with the Constitutional requirements and practices of member states;
    3) The Protocol shall remain open for accession after its entry into force.

Article 13
Entry into Force

    1) This Protocol shall enter into force thirty days after

the receipt of the fourth ratification of a member
state;

2) On its entry into force, this protocol will become an
integral part of the establishing Agreement.

Article 14
Reservations

No reservations are permitted under this Protocol.

Article 15
Withdrawal

1) Any member state may withdraw from this Protocol
by giving twelve (12) months written notice to the
Chairman of the Assembly;

2) Such a member state shall cease to enjoy all rights
and benefits under this Protocol from the date the
withdrawal becomes effective;

Article 16
Settlement of Disputes

Any dispute arising from the interpretation of this Protocol shall
be settled amicably. Failing this, the dispute shall be referred to
the Assembly.

Article 17
Supplementary Protocols

1) Member states may conclude such other Protocols as
may be necessary to execute the aims and objectives
of this Protocol;

2) All supplementary Protocols shall be approved by the
Assembly on the recommendation of the Council,
and shall become an integral part of this Protocol.

DONE AT..................................on the.........Day of......................
in two original texts in English and French, both texts being
equally authentic.

DRAFT SUPPLEMENTARY PROTOCOL ON COOPERATION IN INFORMATION SHARING

The Republic of Djibouti
The State of Eritrea
The Federal Democratic Republic of Ethiopia
The Republic of Kenya
The Republic of Somalia
The Republic of Sudan
The Republic of Uganda

Taking Note of the Agreement Establishing the Inter-Governmental Authority on Development done in Nairobi on 21 March 1996;

Further Taking Note of the Declaration of the Eight Summit of IGAD on the Establishment of a Conflict Early Warning and Response Mechanism for IGAD Member States (CEWARN) done in Khartoum on 8 November 2000;

Recalling the principles and aims of maintaining regional peace and stability in the region;

Recognising that the development of the capacity to ensure rapid and reliable information exchange is crucial for the functioning of the CEWARN mechanism;

Determined to improve the conflict early warning information capacity in the IGAD region;

Inspired by the need to establish an effective mechanism for cooperation in information sharing

HAVE AGREED AS FOLLOWS:

Article 1
Definitions

"CEWARN" means the Conflict Early Warning and Response Mechanism for IGAD member states

"CEWERU" means national conflict early warning and response unit

"IGAD" means the Inter-Governmental Authority on Development

"Information" means raw data which has not been analyzed

"Analysis" means data which has been put in a specific context

"Establishing Agreement" means the Agreement Establishing the Inter-Governmental Authority on Development

"Member State" means a member of IGAD

"The Information Protocol" means the Protocol on Cooperation in Information Sharing"

"The Executive Secretary" means the Chief executive Officer of IGAD

"The Secretariat" means the Executive body of IGAD created by article 12 of the Establishing Agreement

"The Assembly" means the Assembly of Heads of State and Government of IGAD

"Chairman of the Council" means the Chairman of the Council of Ministers of IGAD

Article 2
Principles of cooperation in information sharing
Member states will share information and analysis on early
warning and conflict on the basis of the following principles:

    a) timeliness
    b) transparency
    c) cooperation
    d) free flow of information

Article 3
Levels of cooperation in information sharing
1) Information sharing by member states will take place
   at the regional, inter-state, national, and sub-national
   levels.
2) Member states shall promote cooperation in infor-
   mation sharing at all these levels.
3) National (CEWERUs) and sub-national levels shall
   be the primary sources of data collection

Article 4
National structures of cooperation in
information sharing
1) Each member state will establish a CEWERU within
   its governmental structure.
2) The composition of the CEWERU in each member
   state will consist of:
   a) representatives of government
   b) representatives of the provincial administration
   c) representatives of civil society
   d) such other representatives as individual govern-
   ments may designate
3) The role of CEWERUs will be to:
   a) collect information relevant to conflict early warn-
   ing, prevention and management
   b) liaise with civil society groups involved in collect-
   ing information at the grassroots and other levels
   c) undertake preliminary analysis of collected infor-
   mation
   d) communicate information gathered to CEWARN

e) prepare periodic conflict early warning reports
4) The Ministry of Foreign Affairs or for the time being responsible for CEWARN affairs in each member state will serve as the channel of communication between CEWERUs and CEWARN

Article 5
Inter-state structures of cooperation in information sharing

1) In addition to the national and regional structures of cooperation in information sharing provided for in this Protocol, member states may establish inter-state structures for cooperation.

2) Such inter-state structures of cooperation may be established by means of bilateral agreements, memoranda of understanding, or through any other means that the cooperating members may decide.

3) While the right of members states to establish inter-state structures of cooperation in information sharing is preserved, such structures should not operate to jeopardise the integrity and success of CEWARN.

Article 6
Regional structures of cooperation in information sharing

1) The regional structure of information sharing consists of CEWARN, the Secretariat, the committee of information sharing, the committee of ambassadors, the council of ministers and the Assembly.

2) CEWARN will perform the following information sharing functions:
a) receive information and reports from CEWERUs
b) process and analyse such information
c) bring that information to the attention of the secretariat
d) provide the necessary feedback to the CEWERUs
e) disseminate such information as it is authorised, to

those who are authorised, and in a manner that member states prescribe

f) update and synthesise information

g) standard setting

h) monitoring and coordinating information collection and reporting

i) promoting dialogue on information and analysis

j) coordinating information gathering networking with other organisations

k) cross check information received from the CEWERUs

3) The secretariat will perform the following information sharing functions:

a) act as a central facilitator for information sharing

b) identify users of the information processed by CEWARN, and their needs

c) develop guidelines for information users in consultation with the committee on information sharing

d) develop common practices on information handling, management and exchange

e) act as a clearing house for information

f) promote capacity building for member states in information analysis

g) setting standards of information collection, reporting and documentation

h) establishing common formats for reporting on conflict early warning

i) serve as a shared internet [IT] communication centre for CEWERUs

j) establish summary reporting mechanisms

k) create and maintain a system for distributing and sharing information and analysis among member states

l) administer the Documentation Centre established by article 8 of the Protocol Establishing CEWARN

m) training the personell of similar centres established in the CEWERUs

n) facilitate information sharing and analysis

4) The committee on information sharing will perform the functions set out in article 7 of this Protocol

Article 7
Technical Officials of CEWERU

1) The technical officials of the CEWARN at its inception shall include:
   a) an official responsible for liaising with governments, international organisations and others cooperating with CEWARN
   b) an official responsible for information and training coordination
   c) an official responsible for the conduct of conflict analysis and management
2) Other staffing requirements for CEWARN will be met by the IGAD secretariat

Article 8
Relationship between IGAD and CEWERUs

1) CEWERUs shall be linked to IGAD through CEWARN
2) In order to facilitate this relationship, CEWERUs will make data and analysis available to CEWARN under the terms established by this Protocol

Article 9
Committee on information sharing

1) A committee on information sharing is hereby established
2) The committee on information sharing will be composed of:
   a) the Permanent Secretary for the time being in charge of CEWARN affairs in each member state
   b) one representative of civil society from each member state
   c) one representative from an independent research

institution from each member state
3) The functions of the information sharing committee
will be to:
a) review periodically the functioning of CEWARN
b) promote cooperation between CEWURUs of mem-
ber states
c) promote cooperation between CEWERUs and
CEWARN
d) arbitrate on any disputes that may arise between
CEWARN and the secretariat on information sharing
e) recommend any amendments to this Protocol
f) approve users of information suggested by the sec-
retariat
4) The information sharing committee shall meet twice
a year.

Article 10
Location of information analysis
1) (i) The analysis of information and data gathered by
the CEWERUs will be carried out:
a) in-house by the independent research institu-
tions which form part of the CEWERUs
b) by independent academic research institutions
identified by CEWARN
(ii) The analysis will be shared in the manner speci-
fied in article 15 of the Protocol on Cooperation
in Information Sharing
2) Existing analytical capacities in the IGAD region will
be used to the greatest extent possible
3) The use of networking will be promoted as much as
possible

Article 11
Frequency of Analysis
1) The analysis of information shall be carried out in the
following intervals:
(i) four times a year during normal conditions
(ii) [weekly][monthly] during crisis situations

Article 12
General Access to information
1) Member state will permit free access to information and analysis which is already in the public domain

Article 13
Access for civil society
1) Member states will allow free access to public domain information to the civil society in the following areas:
   a) livestock rustling
   b) conflicts over grazing and water points
   c) smuggling and illegal trade
   d) nomadic movements
   e) refugees
   f) landmines
   g) banditry

2) Member state will, to the greatest extent possible allow civil society access to analysis in the following areas:
   a) livestock rustling
   b) conflicts over grazing and water points
   c) nomadic movements
   d) landmines

Article 14
Restrictions on information sharing
Member states may place restrictions on free access to information and analysis only on compelling
grounds of national security

Article 15
Sources of information

Member states will promote the involvement of the following partners in information gathering:

    a) other governments
    b) humanitarian agencies
    c) non-governmental organisations
    d) individuals
    e) the media
    f) the academic community
    g) community based groups

Article 16
Cooperation in information sharing and conflict management

1) Member states will cooperate with the following sectors in information sharing and conflict management:
    a) national and regional parliaments
    b) academic and research institutions
    c) religious organisations
    d) local non-governmental organisations
    e) the media
2) Cooperation with these sectors will be based on their ability to contribute to the following areas:
    a) research on conflict and early warning
    b) raising awareness
    c) alerting the wider society
    d) conflict management and resolution at the grass-roots levels

Article 17
Harmonisation of national laws

Member states shall harmonise and adjust their relevant national laws in order to accommodate their obligations under this Protocol.

Article 18
Methods of Information exchange

Member states in collaboration with the secretariat shall promote the exchange of information through all practical means, including:

a) electronic means
b) mail
c) conferences, seminars and workshops
d) regional information networking
e) field studies

Article 19
Amendments

1) This Protocol may be amended on the request of a member state by giving ninety days notice in writing to the Chairman of the Council
2) Amendments to this Protocol shall take effect by consensus, or failing that, by a vote of two thirds of the member states

Article 20
Signature, ratification and accession

1) This Protocol shall be signed by the duly authorised representatives of member states
2) This Protocol shall be subject to ratification in accordance with the Constitutional requirements and practices of member states
3) This Protocol shall remain open for accession after its entry into force.

Article 21
Entry into Force

1) This Protocol shall enter into force thirty days after the receipt of the fourth ratification of a member state
2) On its entry into force, this Protocol will become an integral part of the Establishing Agreement

Article 22
Withdrawal

1) Any member state may withdraw from this Protocol by giving twelve months written notice of its intention to do so to the Chairman of the Assembly
2) Such a member state shall cease to enjoy all rights and benefits under this Protocol from the date the withdrawal becomes effective
3) A withdrawing member state shall remain bound by the obligations of this Protocol for a period of twelve months after withdrawal.

Article 23
Settlement of Disputes

1) Any dispute between member states arising from the interpretation or application of this article shall be settled amicably
2) Failing such an amicable settlement, the dispute shall be referred to the Committee on information sharing within thirty days
3) If the committee is unable to resolve the dispute within thirty days after it has been referred to it, the dispute shall be referred to the Assembly

Article 24
Supplementary Protocols

1) Member states may conclude such other Protocols as may be necessary to fulfil the aims and objectives of this Protocol
2) All supplementary Protocols shall be approved by the Assembly on the recommendations of the Council, and shall become an integral part of this Protocol.

DONE AT.........on the.....day of....... in two original texts in English and French, both texts being equally authentic.

DRAFT SUPPLEMENTARY PROTOCOL ON DECISION-MAKING FOR CEWARN

The Republic of Djibouti
The State of Eritrea
The Federal Democratic Republic of Ethiopia
The Republic of Kenya
The Republic of Somalia
The Republic of Sudan
The Republic of Uganda

Recalling the Agreement Establishing the Inter-Governmental Authority on Development done in Nairobi on 21 March 1996;

Taking Note of the Declaration of the Eighth IGAD Summit on the Establishment of a Conflict early Warning and Response Mechanism for IGAD Member States (CEWARN);

Further taking Note of the Protocol on the Establishment of a Conflict Early Warning and Response Mechanism for IGAD Member States;

Conscious that the development of a capacity for ensuring the rapid and reliable information exchange is crucial for the functioning of CEWARN;

Recognising the need to create viable institutional decision making structures for CEWARN;

HAVE AGREED AS FOLLOWS:

Article 1
Definitions

"CEWARN" means the Conflict Early Warning and Response Mechanism for IGAD Member States

"CEWERUs" means conflict early warning and response units at the national level

"Information Sharing Protocol" means the Protocol on Cooperation in Information Sharing

"The Assembly" means the Assembly of Heads of State and Government of IGAD

"The Council" means the Council of Ministers of IGAD

"The Committee" means the Committee of Ambassadors of IGAD

"The secretariat" means the executive body of the Authority created by article 12 of the Establishing Agreement

"Member State" means a member of IGAD

"Establishing Agreement" means the Agreement Establishing the Inter-Governmental Authority on Development (IGAD)

"The Executive Secretary" means the chief executive officer of IGAD

"IGAD" means the Inter-Governmental Authority on Development

Article 2
Structure of CEWARN
The structure of CEWARN is established as follows:
1) The executive arm which comprises the Authority, Council and Committee
2) The administrative arm which is composed of the secretariat
3) The technical arm which comprises:
   a) CEWARN
   b) CEWERUs
3) The coordinating arm which comprises the committee of permanent secretaries established under article 7 of this Protocol

Article 3
Decision making structures of CEWARN
The operations of CEWARN are governed by the following decision making structures:

a) the Authority, Council and Committee, which is responsible for policy decisions regarding CEWARN
b) the Committee of Permanent Secretaries established by article 7 of this Protocol, which is responsible for linking and coordinating between the policy organ and the administrative and technical organ
c) the secretariat, which is responsible for the administrative aspects of the functioning of CEWARN
d) CEWARN which is the technical organ

Article 4
The legal structure of CEWARN
The legal structure of CEWARN is governed by the following instruments:
a) The Agreement Establishing the Inter-Governmental Authority on Development (IGAD)
b) The Khartoum Declaration
c) The Protocol Establishing CEWARN [the Protocol on Cooperation in Information Sharing; the protocol

on Decision Making for CEWARN]

d) Memoranda of Understanding that may be con-
cluded between CEWARN and international,regional
and sub-regional organisations

c) Bilateral agreements and arrangements between
member states

d) National laws on information and security subject to
the provisions of [article 12 of the Protocol on
Information Sharing] [article...of the Protocol
Establishing CEWARN]

Article 5
Consultative mechanisms for CEWARN

1) The activities of CEWARN will be governed by the fol-
lowing consultative mechanisms:
a) consultative meetings of the Committee of
Permanent Secretaries held [twice a year][quarterly]
b) consultations between representatives of CEWARN
and   CEWERUs will be held [twice a year][quar-
terly]
b) consultations between CEWERUs and sub-
national units which will be held quarterly or at such
more frequent intervals as each member state may
determine

2) The reports of these consultations will be brought to
the attention of the Committee of Permanent
Secretaries, and will form part of its agenda

Article 6
Complementarity of structures

The decision making structures for CEWARN established under
this Protocol are complementary to those already existing in
IGAD

Article 7
Committee of Permanent Secretaries

1. There shall be a committee of permanent secretaries in the ministries of foreign affairs of member states, or those directly responsible for CEWARN affairs

2. The permanent secretaries belonging to this committee will as far as possible be the same as those in the committee established under article 7 of the Protocol on Information Sharing

3. The functions of the committee of permanent secretaries are to:

   a) exchange information on conflict and early warning
   b) be a link between the Authority, Council, and Committee and the secretariat
   c) harmonise coordination between CEWARN and CEWERUs
   d) liaise between the Authority, Ministers, Ambassadors and civil society
   e) liaise between civil society and the secretariat
   f) review the reports of the consultative mechanisms provided for in article 5, and make recommendations to the Council

4.   (i) The committee of Permanent Secretaries will report directly to the Council

   (ii) The report of the committee will cover the following areas:

   a) the state of conflict in the IGAD region
   b) the state of coordination between CEWARN and CEWERUs
   c) the state of cooperation between the secretariat and civil society
   d) recommendations for preventive action

5. The Executive Secretary and the [coordinator][director] of CEWARN shall be *ex officio* members of the committee of permanent secretaries

Article 8
Location of CEWERUs
Individual member states will decide on the most suitable location of CEWERUs taking into account their administrative and logistical arrangements

Article 9
Composition of CEWERUs
1) CEWERUs at each national level shall include representatives from the following:
   a) the central government
   b) provincial administration, however designated
   c) the police
   d) academic research institutions
   e) civil society
   f) non-governmental organisations
   g) religious organisations
   h) parliament
2) The composition of units at the sub-national levels shall include representatives from the following sectors:
   a) the provincial administration
   b) community based organisations
   c) local professionals
   d) traditional elders
   e) religious organisations
3) (i) The CEWERU in each member state shall consist of a steering committee which shall be responsible for:
   a) reviewing analyses received
   b) formulating response strategies
   (ii) The steering committee shall report on the activities carried out under sub-section 3(i) to the committee of permanent secretaries

Article 10
The Functions of CEWERUs
The functions of CEWERUs of each member state shall be to:

a) create linkages between individual CEWERUs and CEWARN

b) coordinate information analysis within each member state

c) liaise between the official and civil society components of CEWERUs

d) coordinate the sharing of information

Article 11
Relationship between CEWARN and civil society
1. Representatives of civil society will be an integral part of the decision making structure of CEWARN
2. Civil society shall be involved in decision making through membership in the committee on information sharing established by [article 7 of the Protocol on Information Sharing][article.of the Protocol Establishing CEWARN]

Article 12
Relationship between member states and CEWARN
1. The focal point for communications between CEWERUs and CEWARN will be the Ministry of Foreign Affairs of each member state.
2. Each member state shall establish a CEWARN focal point, however designated, within its Ministry of Foreign Affairs.

Article 13
Relationship between CEWARN and other organisations

1) CEWARN may establish cooperative arrangements with international, regional and sub-regional organisations

2) The terms, conditions and modalities governing such arrangements shall be governed by Memoranda of Understanding concluded between IGAD and such other organisations

3) The terms and conditions will be decided by the Executive Secretary in consultation with the committee of Permanent Secretaries

Article 14
CEWARN's conflict management mandate

1) CEWARN is mandated to:

a) investigate specific types and regions of conflict in the IGAD region

b) receive and contribute information concerning the outbreak and escalation of conflict in the IGAD region

c) formulate options and develop case scenarios for response

2) (i) This mandate shall be carried out with the authority of the Executive Secretary in consultation with the Committee of Permanent Secretaries

(ii) On receiving information under section 1 of this article, the Executive Secretary will immediately bring that information to the attention of the committee of permanent secretaries

(iii) On receiving such information from the Executive Secretary, the committee of permanent secretaries shall:

a) review the options, and make immediate recommendations to the Council.

b) decide which of this information or analysis should be made available in the public domain

3) In performing this mandate, CEWARN may:
   a) review existing public domain information
   b) conduct or commission in-depth studies
   c) conduct critical evaluations
   d) carry out risk assessments
4) CEWARN may, under guidelines approved by the Executive Secretary in consultation with the Committee of Permanent Secretaries, share the results of the activities under sub- article (3) with experts outside IGAD who are highly qualified to undertake critical analysis
5) In carrying out the mandate and duties specified in this article, due regard shall be had for the promotion of the principle of transparency

Article 15
CEWARN's Role in Facilitating Analysis of Information

(1) (i) The analysis of information/data received by CEWARN shall in the first instance be outsourced by CEWARN to the research institutions identified in article 9(1)(d).
(ii) The analyses carried out shall be availed to CEWARN, and the CEWERUs
(iii) The steering committee of each CEWERU will be responsible for reviewing such reports
(iv) Each steering commitee shall report the outcome of its review to CEWARN
(v) On receipt of the reports from the steering committees, CEWARN shall immediately forward them to the committee of permanent secretaries
(2) The role of CEWARN in facilitating analysis of information shall be to:
   a) identifying the relevant research institutions
   b) training research institutions in analysis
   c) facilitating and coordinating the access of CEWERUs to analysis

Article 16
Amendments

1) This Protocol may be amended on the request of a member state   by giving ninety days notice in writing to the Chairman of the Council
2) Amendments to this Protocol shall take effect by consensus, or failing that, by a vote of two thirds of the member states

Article 17
Signature, ratification and accession

1) This Protocol shall be signed by the duly authorised representatives of the member states
2) This Protocol shall be subject to ratification in accordance with the Constitutional requirements and practices of member states
3) This Protocol shall remain open for accession after its entry into force.

Article 18
Entry into Force

1) This Protocol shall enter into force thirty days after the receipt of the fourth ratification of a member state
2) On its entry into force, this Protocol will become an integral part of the Establishing Agreement

Article 19
Withdrawal

1) Any member state may withdraw from this Protocol by giving   twelve months written notice of its intention to do so to the Chairman of the Assembly
2) Such a member state shall cease to enjoy all rights and benefits under this Protocol from the date the withdrawal becomes effective
3) A withdrawing member state shall remain bound by the obligations of this Protocol for a period of twelve months after withdrawal.

Article 20
Settlement of Disputes

1) Any dispute between member states arising from the interpretation or application of this article shall be settled amicably
2) Failing such an amicable settlement, the dispute shall be referred to the Committee on information sharing within thirty days
3) If the committee is unable to resolve the dispute within thirty days after it has been referred to it, the dispute shall be referred to the Assembly

Article 21
Supplementary Protocols

1) Member states may conclude such other Protocols as may be necessary to fulfil the aims and objectives of this Protocol
2) All supplementary Protocols shall be approved by the Assembly   on the recommendations of the Council, and shall become an integral part of this Protocol.

DONE AT.........on the.....day of....... in two original texts in English and French, both texts being equally authentic.

APPENDIX G:

(This is the final version of the protocol and represents the discussions and changes made during and following the government legal experts' meeting in Addis Ababa, September 3-4 2001.)

PROTOCOL ON THE ESTABLISHMENT OF A CONFLICT EARLY WARNING AND RESPONSE MECHANISM FOR IGAD MEMBER STATES

The Member states of the Inter-governmental Authority on Development

The Republic of Djibouti
The State of Eritrea
The Federal Democratic Republic of Ethiopia
The Republic of Kenya
The Republic of Somalia
The Republic of the Sudan
The Republic of Uganda

Recalling the principles and objectives enshrined in the Agreement Establishing the Inter-governmental Authority on Development (IGAD);

Reaffirming the objectives of promoting regional peace, security and stability and creating mechanisms for the prevention, management and resolution of inter- and intra-state conflicts through dialogue;

Determined to act collectively to preserve peace, security and stability in the region, to enhance regional co-operation and to eliminate all forms of threat thereto;

Inspired by the need to establish an effective mechanism of consultation and cooperation for the peaceful settlement of disputes;

Convinced of the need to respond early to conflicts in the region;

Taking note of the Khartoum Declaration of the Eighth IGAD Summit 23rd November, 2000
particularly the resolution of an establishment of a Conflict Early Warning and Response Mechanism (CEWARN) for IGAD Member States

HAVE AGREED AS FOLLOWS:

Article 1
Definitions
In this Protocol:
"Protocol" means the Protocol Establishing a Conflict Early Warning and Response Mechanism for IGAD member states;

"Establishing Agreement" means the Agreement Establishing the Inter-governmental Authority on Development (IGAD);

"Khartoum Declaration" means the Khartoum Declaration of the 8th IGAD Summit of 23 November 2000;

"Member state" means a member of CEWARN;

"Assembly" means the Assembly of Heads of State and Government of IGAD;

"Council" means the Council of Ministers of IGAD;

"Committee" means the Committee of Ambassadors of IGAD

"Chairman of the Council" means the Chairman of the Council of Ministers of IGAD;

"Executive Secretary " means the Chief Executive Officer of IGAD;

"Secretariat" means the executive body of the Assembly (article 12, Establishing Agreement);

"CEWARN" means the Conflict Early Warning and Response Mechanism established by this Protocol;

"CEWARN Unit" means the IGAD Secretariat's administrative arm of CEWARN;

"CEWERU" means national conflict early warning and response mechanism;

"Early warning" is the process of collecting, verifying and analysing information and communicating the results to decision-makers;

"Information" means raw data that has not been analysed;

"Analysis" means the interpretation of data in a specific context;

"Response" means actions to prevent, mitigate and manage conflict.

Article 2
Establishment of CEWARN

    1) A Conflict Early Warning and Response Mechanism (CEWARN) is hereby established.

    2) CEWARN shall become an integral part of the Inter-governmental Authority on Development.

    3) Only Member states which have ratified this protocol are entitled to participate in the activities of CEWARN.

Article 3
The Legal Foundation of CEWARN

    1) In addition to the Establishing Agreement and the Khartoum Declaration, the following shall form the legal foundation of CEWARN:

    a) The Protocol Establishing CEWARN;

    b) Memoranda of Understanding which may be concluded between CEWARN and international, regional and sub-regional organisations;

c) Bilateral agreements and arrangements between member states;

d) National laws on information and security subject to the provisions of this Protocol and the guidelines provided in Appendix 1.

2) Member states are encouraged to adjust their relevant national laws in order to accommodate their obligations under this Protocol.

Article 4
Structure of CEWARN

1) The decision-making structures for CEWARN established under this Protocol are complementary to those already existing in IGAD.

2) The structure of CEWARN is established as follows:

a) The policy arm consisting of the Assembly, Council and Committee;

b) The administrative arm consisting of the Secretariat;

c) The technical arm consisting of:

CEWARN Unit;

CEWERUs.

d) The co-operating arms consist of:

optional inter-state structures;

optional sub-regional councils.

e) The coordinating arms consist of:

The Committee of Permanent Secretaries established under Article 9 of this Protocol;

The Committee on Early Warning (CEW).

Article 5
Functions of CEWARN

1) The functions of CEWARN cover both early warning and response and shall include the following:

a) Promote the exchange of information and collaboration among member states on early warning and response on the basis of the following principles:

i) timeliness

      ii) transparency

      iii) cooperation

      iv) free flow of information

b) Gather, verify, process and analyse information about conflicts in the region according to the guidelines provided in Appendix 1.

c) Communicate all such information and analysis to decision makers.

d) More specifically, the early warning functions of CEWARN shall include:

      i) receiving information and reports from CEWERUs;

      ii) processing and analysing such information;

      iii) bringing that information to the attention of the secretariat;

      iv) providing the necessary feedback to the CEWERUs;

      v) disseminating such information as it is authorised, to those who are authorised, and in a manner that member states prescribe;

      vi) updating and synthesising information;

      viii) setting standards;

      ix) monitoring and coordinating information collection and reporting;

      x) promoting dialogue on information and analysis;

      xi) networking among information gathering organisations;

      xii) verifying information received from the CEWERUs.

Article 6
The CEWARN Unit

    1) A CEWARN unit shall be established and located at the Headquarters of IGAD.

    2) The CEWARN unit shall be part of the Directorate of

Political and Humanitarian Affairs and will be governed according to IGAD service regulations.

3) The CEWARN unit shall have financial autonomy to the extent necessary for the performance of its functions.

4) The CEWARN Unit may establish cooperative arrangements with international, regional and sub-regional organisations.

5) The terms, conditions and modalities governing such arrangements shall be governed by Memoranda of Understanding concluded between IGAD and such other organisations.

6) The terms and conditions will be decided by the Executive Secretary in consultation with the Committee of Permanent Secretaries.

Article 7
Functions of the CEWARN Unit
The functions of the CEWARN Unit shall be to:

1) Assist the Secretariat to administer IGAD's Documentation Centre.

2) Identify users of the information processed by CEWARN, and their needs.

3) Establish networks of cooperation in early warning and response among member states.

4) Serve users by:
a) acting as a clearing house for information;
b) creating and managing databases on information for early warning and response;
c) providing a shared internet communication centre for CEWERUs;
d) developing guidelines for information users in consultation with the Committee on Early Warning;
e) setting standards and developing common practices for information collection, reporting and documentation, and establishing common formats for reporting on conflict early warning;

f) harmonising common information policies and systems for early warning in member states.

5) Support the development of CEWERUs and provide technical assistance for their establishment.

6) Develop close cooperation among CEWERUs.

7) Establish collaborative relationships, including information sharing, with similar international, regional and sub-regional mechanisms in Africa.

8) Train CEWERU personnel and generally promote human and institutional capacity building in the area of early warning and response.

9) Design mechanisms for regional responses to cross-border and trans-border conflicts.

Article 8
Structures of Co-operation

1) Member states may establish inter-state structures for cooperation in addition to the national and regional structures for co-operation in early warning provided for in this Protocol.

2) Such inter-state structures of cooperation may be established through bilateral agreements, memoranda of understanding, or through any other means that the cooperating members may decide.

3) While the right of member states to establish inter-state structures of cooperation in early warning is preserved, such structures should complement and strengthen the integrity and sustainability of CEWARN.

4) Individual clusters of member states experiencing common security problems, such as livestock rustling, may form Sub-regional Peace Councils, or refer such problems to existing bilateral arrangements.

5) Sub-regional Peace Councils shall meet as often as their members may decide for the purposes of sharing information on specific peace and security related issues in the sub-regions.

6) The Executive Secretary shall facilitate administra-
tively periodic reports of the sub-regional peace
councils to the Committee on Early Warning.

7) Any protocols or memoranda of understanding con-
cluded by sub-regional member states shall promote
the objectives, functioning and sustainability of
CEWARN.

Article 9
Co-ordinating Structures

1) The regional structure of early warning shall consist
of CEWARN, the Secretariat, the Committee on Early
Warning, the Committee of Ambassadors, the
Council of Ministers and the Assembly.

2) There shall be a Committee of Permanent Secretaries
of the ministries of foreign affairs of member states,
or those directly responsible for CEWARN affairs:
a) The permanent secretaries belonging to this com-
mittee shall as far as possible be the same as those in
the Committee on Early Warning;
b) The Executive Secretary, the Director of Political
and Humanitarian Affairs and Coordinator of the
CEWARN Unit shall be *ex officio* members of the
Committee of Permanent Secretaries;
c) The Committee of Permanent Secretaries shall
report directly to the Council.

3) The functions of the Committee of Permanent
Secretaries are to:
a) exchange information on conflict and early warn-
ing;
b) be a link between the Assembly, Council, and
Committee and the Secretariat;
c) harmonise coordination between CEWARN and
CEWERUs;
d) liaise between the Assembly, Council, Committee
and civil society;
e) liaise between civil society and the Secretariat;
f) review the reports of the following consultative

mechanisms:

g) consultations between representatives of CEWARN and CEWERUs held at least twice a year;

h) consultations between CEWERUs and local units which will be held quarterly or at such more frequent intervals as each member state may determine.

i) report and make recommendations to the Council on the following areas:

j) conflict in the IGAD region;

k) coordination between CEWARN and CEWERUs; cooperation between governments and civil society in early warning and conflict management;

l) recommendations for preventive action.

4) The Committee of Permanent Secretaries shall meet at least twice a year.

Article 10
Co-ordinating Functions

1) The Committee on Early Warning shall be composed of:

a) the Permanent Secretary for the time being in charge of CEWARN affairs in each member state;

b) one representative of civil society from each member state;

c) one representative from an independent research institution from each member state.

2) The Committee on Early Warning shall meet twice a year.

3) The functions of the Early Warning Committee shall be to:

a) review periodically the functioning of CEWARN;

b) promote cooperation between CEWERUs of member states;

c) promote cooperation between CEWERUs and CEWARN;

d) review periodically the Protocol on information sharing and recommend amendments whenever necessary;

e) approve users of information suggested by the secretariat;

f) link and coordinate the policy, administrative and technical functions.

Article 11
Structure of CEWERUs

1) A CEWERU shall be established in the most suitable location as member states decide taking into account their logistical and administrative arrangements.

2) A CEWERU will consist of:
   a) an optional steering committee;
   b) a focal point;
   c) local committees.

3) The CEWERU steering committee shall include:
   a) representatives of the central government;
   b) representatives from parliament;
   c) representatives of the provincial administration;
   d) police;
   e) military;
   e) representatives of civil society, including religious organisations;
   f) academic institutions;
   g) research institutions;
   h) such other representatives as individual governments may designate.

4) The steering committee shall report to the Committee of Permanent Secretaries.

5) CEWERUs shall be linked to IGAD through the CEWARN Unit and the Ministry of Foreign Affairs in each member state and shall serve as the focal point for communications between CEWERUs and CEWARN.

Article 12
Function of CEWERUs

1) The functions of CEWERUs shall include:
   a) collecting information relevant to early warning and response;

b) liaising with civil society groups involved in collecting information at the grassroots and other levels;
c) undertaking preliminary analysis of collected information;
d) reviewing analyses received;
e) formulating response strategies;
f) preparing periodic conflict early warning reports;
g) communicating information and analysis gathered to the CEWARN Unit;

Article 13
Privileges and Immunities
Member states shall accord designated experts and officials on special mission for CEWARN the same privileges and immunities necessary for the performance of their activities. Such privileges and immunities shall not be lesser than those accorded to officials of the Secretariat of comparable status

Article 14
Resources of the Mechanism
1) CEWARN, in co-ordination with Executive Secretary, shall have the power to solicit and receive grants and donations related to the performance of its functions
2) The resources of CEWARN shall come from:
   a) contributions from member states;
   b) grants, donations and contributions from other sources approved by the Council.

Article 15
Amendments
1) This Protocol may be amended on the request of a member of CEWARN by giving ninety days notice in writing to the Chairman of the Council.
2) On receipt of a proposal for amendment the Chairman of the Council shall transmit it to other member states within thirty days of its receipt.
3) Amendments to this Protocol shall take effect by consensus, or failing that, by a vote of two thirds.

Article 16
Signature, Ratification and Accession
  1) This Protocol shall be signed by the duly authorised representatives of the member states;
  2) This Protocol shall be subject to ratification in accordance with the Constitutional requirements and practices of member states;
  3) The Protocol shall remain open for accession after its entry into force.

Article 17
Entry into Force
  1) This Protocol shall enter into force thirty days after the receipt of the fourth ratification of a member state;
  2) On its entry into force, this protocol shall become an integral part of the Establishing Agreement.

Article 18
Withdrawal
  1) Any member state may withdraw from this Protocol by giving twelve (12) months written notice to the Chairman of the Assembly;
  2) During the period of 12 months, referred to in paragraph 1 of this article a member state wishing to withdraw shall comply with provisions of this protocol and shall be bound to discharge its obligations up to the date of its withdrawal.

Article 19
Settlement of Disputes
Any dispute arising from the interpretation of this Protocol shall be settled amicably. Failing this, the dispute shall be referred to the Council.

Article 20
Supplementary Protocols

1) Member states may conclude such other Protocols as may be necessary to accomplish the aims and objectives of this Protocol

DONE AT...................................on the.........Day of.......................
in two original texts in English and French, both texts being equally authentic.

ANNEX
OPERATING GUIDELINES FOR *CEWARN*

Part I: Mandate

1) CEWARN is mandated to:

a) receive and contribute information concerning the outbreak and escalation of conflict in the IGAD region;

b) undertake and share analyses of that information;

c) develop case scenarios and formulate options for response;

d) share and communicate information, analyses and response options;

e) carry out studies on specific types and areas of conflict in the IGAD region.

2) This mandate shall be carried out with the authority of the Executive Secretary in consultation with the Committee of Permanent Secretaries.

3) On receiving information under section 1 of this article, the Executive Secretary shall immediately bring that information to the attention of the Committee of Permanent Secretaries.

4) On receiving such information from the Executive Secretary, the Committee of Permanent Secretaries shall:

a) review the options, and make immediate recommendations to the Council;

b) decide what parts of this information or analysis should be made available in the public domain.

5) In performing this mandate, CEWARN may:

a) review existing public domain information;

b) conduct or commission in-depth studies;

c) conduct critical evaluations;

d) carry out risk assessments.

6) CEWARN may, under guidelines approved by the Executive Secretary, in consultation with the Committee of Permanent Secretaries, share the

results of its activities with experts within and outside IGAD who are highly qualified to undertake critical analysis.

7) In performing this mandate and the duties specified in this article, due regard shall be given to the promotion of the principle of transparency.

Part II: Information

1) CEWARN shall rely for its operations on information that is collected from the public domain.
2) CEWARN shall utilise existing documentation facilities of the Secretariat.
3) National and local levels shall be the primary sources of data collection.
4) Member states shall promote the involvement of the following partners as sources of information:
   a) other governments;
   b) humanitarian agencies;
   c) non-governmental organisations;
   d) individuals;
   e) the media;
   f) the academic community;
   g) community based groups.
5) Member states shall allow civil society access to information in the following areas:
   a) livestock rustling;
   b) conflicts over grazing and water points;
   c) smuggling and illegal trade;
   d) nomadic movements;
   e) refugees;
   f) landmines;
   g) banditry.

Part III: Verification and Analysis

1) CEWARN and its officials shall verify information within member states only through overt means.
2) Member states shall facilitate the verification and analysis of information within their territories by officials of CEWARN.
3) The request for permission to verify and analyse information shall be forwarded to the member states by the Executive Secretary.
4) Officials of CEWARN shall observe the laws and regulations of member states during the verification and analysis of information; in particular, they shall respect the confidentiality of information and its sources as required by member states.
5) CEWARN shall commission academic and research institutions to undertake analysis of information received by the CEWARN Unit.
6) The optional Steering Committee of each CEWERU shall be responsible for reviewing such reports and reporting the outcome of its review to CEWARN.
7) On receipt of the reports from the Steering Committees, CEWARN shall immediately forward them to the Committee of Permanent Secretaries.
8) The role of CEWARN in facilitating analysis of information shall be to:
   a) identify the relevant research institutions;
   b) train staff of research institutions in analysis;
   c) facilitate and coordinate the access of CEWERUs to analysis.
9) The analysis of information and data gathered by the CEWERUs will be carried out:
   a) in-house by academic research institutions which form part of the CEWERUs;
   b) by independent academic research institutions identified by CEWARN.
10) Existing analytical capacities in the IGAD region will be used to the greatest extent possible.
11) The analysis of information shall be carried out in

the following intervals:
a) at least four times a year during normal conditions;
b) at least weekly during crisis situations.

Part IV: Dissemination

1) Member states shall have the right of access to the documentation facilities.
2) Information shall be shared and disseminated in such a manner, and in such places, as the member states will approve; member states should however not impose undue restrictions on the dissemination of information to authorised networks.
3) The use of networking shall be promoted as much as possible.
4) Member states may place restrictions on free access to analysis only on compelling grounds of national security.
5) The analyses carried out shall be made available to CEWARN, CEWERUs and, to the greatest extent possible, to civil society.
6) Member states shall cooperate with the following sectors in early warning and response:
a) national and regional parliaments;
b) academic and research institutions;
c) religious organisations;
d)local non-governmental organisations;
e) the media.
7) Cooperation with these sectors will be based on their ability to contribute to the following areas:
a) research on conflict and early warning;
b) raising awareness;
c) alerting the wider society;
d) conflict management and resolution at the grassroots levels.
8) Member states, in collaboration with the Secretariat, shall promote the exchange of information through all practical means, including:
a) electronic means;

b) mail;
c) conferences, seminars and workshops;
d) regional information networking;
e) field studies.

LIST OF ABBREVIATIONS

NSCC	New Sudan Council of Churches
ADOL	Action for Development of Local Communities
ASAL	Arid and Semi-Arid Lands Unit
BSC	Border Security Committee
CBO	Community-Based Organizations
CECORE	Centre for Conflict Resolution (Uganda)
CEWARN	Conflict Early Warning and Response Mechanism
CEWERU	Conflict Early Warning Early Response Unit
CIA	Central Intelligence Agency
CMC	Conflict Management Center (OAU)
COMESA	Common Market for Eastern and Southern Africa
CPMR	Conflict Prevention, Management, and Resolution
DFID	Department for International Development (United Kingdom)
DPA	Department of Political Affairs (United Nations)
DPKO	Department of Peace Keeping Operation (United Nations)
DRC	Democratic Republic of the Congo
DSC	Defense and Security Commission
EAC	The East African Community
ECCAS	Economic Community of Central African States
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community for West African States

EU	European Union
EWFIS	Early Warning and Food Information System
FBI	Federal Bureau of Investigation
FAO	Food and Agricultural Association of the United Nations
FAST	Früh-Analyse von Spannungen und Tatsachenermittlung (Swiss Peace Foundation)
FEWER	Forum on Early Warning and Response
FEWS	Famine Early Warning System (USAID)
GDP	Gross Domestic Product
GEMS	Global Environmental Monitoring System (UNEP)
GoK	Government of Kenya
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit
HEW	Hard Early Warning System
HEWS	Humanitarian Early Warning System (UNDHA)
IBAR	Inter-African Bureau for Animal Resources (OAU)
IGAD	Intergovernmental Authority on Development
IGADD	Intergovernmental Authority on Drought and Development
IGO	International Governmental Organization
IDPs	Internally Displaced Persons
IRIN	Integrated Regional Information Network
ISDSC	Inter-State Defense and Security Committee (SADC)
KDA	Karamoja Development Agency
KISP	Karamoja Initiative for Sustainable Peace
KPPG	Kenya Pastoralist Parliamentary Group
LWF	Lutheran World Federation
MSC	Mediation and Security Council (ECOWAS)
MSI	Management Systems International
NATO	North Atlantic Treaty Organization
NCCK	National Council of Churches of Kenya
NGO	Non-Governmental Organizations

NRM	National Resistance Movement
NSCC	New Sudan Council of Churches
OAU	Organization of African Unity
OAU/IBAR	Inter-African Bureau for Animal Resources of the OAU
OECD	Organization for Economic Co-operation and Development
OLF	Oromo Liberation Front
OMC	Observation Monitoring Center (ECOWAS)
OMZ	Observation and Monitoring Zones (ECOWAS)
ORCI	Office for the Collection of Information (United Nations)
PIOOM	Interdisciplinary Research Program on Root Causes of Human Rights Violations (The Netherlands)
POKATUSA	Cross-border Community Organization for Pastoral Communities (POkot, KArimojong, TUrkana, and Sabiny)
PPDI	Pastoralist Peace and Development Initiatives
PPG	Pastoralist Parliamentary Group
RECs	Regional Economic Communities
SADC	Southern African Development Community
SEW	Soft Early Warning System
SPF	Swiss Peace Foundation
SPLM	Sudanese People's Liberation Movement
SPLM/A	Sudanese People's Liberation Movement/Army
SROMS	Sub-Regional Peace and Security Observation System (ECOWAS)
TDA	Toposa Development Association
UN	United Nations
UNAMIR	United Nations Mission in Rwanda
UNEP	United Nations Environment Programme
UNDHA	United Nations Office of Humanitarian Affairs
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for

	Refugees
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
USAID	United States Agency for International Development
REDSO/ESA	Regional EconomicDevelopment Services Office for Eastern and Southern Africa
WPDC	Wajir Peace and Development Committee

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Peter Adwok Nyaba trained as a geologist in Khartoum (1968-1974) and Budapest, Hungary (1978-1982). He taught in Juba University (1982-1986) and Asmara University (1990–1991) and worked with the Geological and Mineral Resources Department in Khartoum (1974-1977). Mr. Nyaba is a freelance researcher currently working on movement of small arms and light weapons in the border areas between Sudan, Kenya, and Uganda. As a consultant he has worked for humanitarian agencies operating in the war-torn southern Sudan, as well as on a participatory assessment of situations related to relief and governance in the SPLM-administered areas of southern Sudan, and formulation of the Bahr el Ghazal Youth Development Association (BYDA) civic education and learning program. Mr. Nyaba has written several articles and papers on politics in Sudan, among others *The Politics of Liberation in South Sudan: An Insider's View* (Fountain Publishers, 1997).

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CONTRIBUTING ORGANIZATIONS

GTZ Contribution to CEWARN Publication

The Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) is a service enterprise for development cooperation with world-wide operations. Owned by the Federal Republic of Germany, the organization operates as a private-sector enterprise with a development-policy mandate: to make sustainable improvements to the living conditions of people in partner countries, and to conserve the natural resource base on which life depends.

German Technical Cooperation (TC) in the Horn of Africa is all about boosting the performance capacity of both individuals and organizations. The aim is to strengthen people's initiative, enabling them to improve their living conditions through their own efforts. GTZ's consultancy services in the region span a wide range of activity areas, from economic development and employment promotion, through health and basic education to environmental protection, resource conservation, regional rural development and crisis prevention and conflict management.

It is this framework under which GTZ—commissioned by the German Federal Government—supports IGAD's effort to intro-

duce a conflict early warning and early response mechanism into the region of the Horn of Africa. GTZ is proud of actively supporting the IGAD Secretariat's endeavor to introduce new instruments and ideas in the search to overcome violent conflicts between and within Member States and particularly between clans and tribes with cross-boundary character.

GTZ is convinced that traditional ways combined with modern technology and research will have an impact on people and their leaders to prevent the outbreak of violence and can help to solve their conflicts through negotiations and prudent administrative steps.

May this publication help to disseminate the message in the region that development needs peace and peace needs development.

For GTZ: Rolf Detmering
                Regional Manager East Africa

Website: www.gtz.de

REDSO/ESA Contribution to CEWARN Publication

The United States Agency for International Development and its Regional Economic Development Services Office for Eastern and Southern Africa (REDSO ESA) presents its compliments to the IGAD member states and the IGAD Secretariat for undertaking development of a mechanism for conflict prevention mitigation. Until now, the IGAD region has lacked a regional mechanism for addressing violent conflict within and across states, despite the need. USAID is especially pleased to have provided support an inclusive design process which has brought IGAD stakeholders together from

throughout the region, including government officials, representatives from civil society and other donors. USAID is hopeful that the CEWARN mechanism will provide the IGAD Authority and the Secretariat with the means for identifying and acting on the threat of violent conflict where presently there are none, and the capacity for working systematically and transparently with civil society and other stakeholders on conflict issues where currently such relationships do not exist.

USAID recognizes the exceptionally innovative nature of the proposed CEWARN mechanism. Despite its potential relevance to the pressing security problems in the region, design and implementation of CEWARN is necessarily a long and deliberate process, and one calling for sustained commitment from all parties. An important part of the process of developing CEWARN is documenting and communicating its aims and progress in a timely and objective fashion; USAID is confident that this publication will prove useful towards this end.

USAID joins the IGAD Executive Secretary and GTZ in congratulating the FEWER consultancy team not only for its progress in developing the CEWARN structure, but also for dedicating the time and effort required for completing this volume. It is USAID's hope that the book will give IGAD additional the impetus in completing and implementing the CEWARN mechanism. In addition, we hope that the volume will inform many people who seek solutions to the debilitating and widespread intra and inter-state conflicts in the region, and potentially in other regions of Africa as well.

Signed: Steven Wisecarver
                 REDSO/ESA Director

Website: www.usaid.gov

FEWER is an independent global network of organizations committed to preventing conflict by providing early warning and informing peacebuilding efforts. FEWER is engaged in early warning and response activities in the Caucasus, the Great Lakes region of Africa, West Africa, Central Asia and South East Asia. FEWER's motivation is strictly humanitarian. FEWER provides local perspectives on the causes and dynamics of violent conflict to different policy-making communities. FEWER's activities are led by its members. The network is composed of Non-governmental Organizations, Inter-governmental Organizations and academic institutions:

Africa

- The African Centre for the Constructive Resolution of Disputes - ACCORD, South Africa
- Africa Peace Forum, Kenya
- Conseil National des ONG pour le Developpment du DRC - CNONGD/ Africa Initiative Programme, Kenya
- Inter-Africa Group, Ethiopia
- Nairobi Peace Initiative, Kenya
- West Africa Network for Peacebuilding, Ghana

Asia

- Gaston Z. Ortigas Peace Institute, Philippines
- South Asia Forum for Human Rights, Nepal

Canada and the United States

- Center for International Political Analysis, University of Kansas, USA
- Center for International Development and Conflict Management, University of Maryland, USA
- Center for Strategic and International Studies, USA

- Centre for Refugee Studies, York University, Canada
- Council on Foreign Relations, USA
- Norman Paterson School of International Affairs, Carleton University, Canada

Central and South America

- Centro de Estudios Internacionales, Nicaragua
- Instituto de Enseñanza para el Desarrollo Sostenible - IEPADES, Guatemala

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- Caucasian Institute for Peace, Democracy and Development, Georgia
- Institute of Ethnology and Anthropology, Russian Academy of Sciences, Russian Federation
- Life and Peace Institute, Sweden
- Netherlands Institute of International Relations, Clingendael, The Netherlands
- PIOOM - Interdisciplinary Research Programme on Root Causes of Human Rights Violations, The Netherlands
- Saferworld, UK
- Swiss Peace Foundation, Switzerland

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